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REVISED  
CONSTITUTION AND CANONS  
OF THE  
PROTESTANT EPISCOPAL CHURCH  
IN THE  
DIOCESE OF VIRGINIA;  
ALSO THE  
CONSTITUTION AND CANONS  
OF THE  
PROTESTANT EPISCOPAL CHURCH  
IN THE  
UNITED STATES,

AS ADOPTED IN 1853.



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REVISED CONSTITUTION  
OF THE  
PROTESTANT EPISCOPAL CHURCH, &c  
AS ADOPTED IN 1836, AND AMENDED IN 1840 AND 1850.

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ARTICLE I.

There shall be a Convention of the Protestant Episcopal Church in this State, on the third Wednesday in May, every year; but the Convention which meets in the year previous to the meeting of the General Convention, may have power to appoint the time and place of meeting for the next annual session; and in the event of the existence of an epidemic disease or any other good cause, rendering it necessary or expedient to alter the place fixed on for any meeting of the Convention, the Bishop may change the place, or the time, or both, at his discretion.

ARTICLE II.

[As amended in 1840 and 1850.]

The Convention shall be composed of the Bishop and the Assistant Bishop, if there be one, and of the officiating ministers who now are, or may hereafter be regularly and canonically elected in parishes or churches within this State, so long as they continue officiating in parishes or churches within this Diocese, professors of the Theological Seminary of Virginia, missionaries acting under the authority of the *Bishop*, and within this Diocese, and of those whom age or infirmity prevents from exercising their clerical functions, who shall be considered members *ex officio*, and also the acting agent or agents for any benevolent society or societies, and the Rector of the Episcopal High School, being clergymen of this Church, and who are under the canonical jurisdiction of the Bishop of this Diocese. No person under ecclesiastical censure or process shall

be entitled to a seat in the Convention. The Convention shall also be composed of lay members, consisting of one delegate for each parish or church, chosen by the vestry or trustees thereof. Every parish having more than one officiating minister, who hath been regularly and canonically elected, shall be entitled to send as many lay delegates as it has ministers—and in every case the delegate or delegates shall be communicants in the church. The Assistant Bishop shall preside in the Convention in the absence of the Bishop.

#### ARTICLE III.

Twelve members of the clerical, and twelve of the lay order shall constitute a quorum for the transaction of business; but a smaller number may adjourn.

#### ARTICLE IV.

In all matters that shall come before the Convention, the clergy and laity shall deliberate in one body; and the concurrence of a majority shall give validity to any measure; but when three members require it, there shall be a vote by orders.

#### ARTICLE V

The election of a Bishop of this Church shall be made in Convention in the following manner: The order of the clergy shall nominate and appoint by ballot, some fit and qualified clergyman for that office; and the votes of a majority of that order shall be requisite to constitute a choice; and thereupon, such appointment shall be presented to the order of the lay delegates, and be considered by them; and if, on a ballot, it shall appear that the person so nominated is approved of by a majority of the lay order, he shall then be declared to be duly elected.

#### ARTICLE VI.

The Bishop shall be President of the Convention; in which character it shall be his duty to give to the Convention, annually, a general view of the state of the Church; to call special Conventions, at whatever time and place he shall think necessary, or when required by the standing committee; to preserve order during the time of session; to put the question, collect the votes, and declare the decision; and he may deliver his sentiments on any subject after it has been discussed, before a vote thereon.

## ARTICLE VII.

In case of a vacancy in the Episcopal Office, the Convention immediately upon their assembling, shall choose, by joint ballot, a President from among the order of Priests, who shall remain in office until the next annual Convention, or until the next election of a President. He shall perform all duties, and possess all the privileges above specified; but he shall not call special meetings of the Convention, unless applied to for that purpose, by a majority of the standing committee; and if, while there is a Bishop in this Church, he shall not be present at any meeting of the Convention, they shall elect, in the manner aforesaid, a President *pro tempore*.

## ARTICLE VIII.

A Secretary shall be appointed by the Convention, who shall continue in office during good behaviour. His duty shall be to make minutes of their proceedings, to preserve their journals and records, to attest the public acts of the body, and faithfully to deliver into the hands of his successor, all books and papers relative to the concerns of the Convention, which may be in his possession. It shall be his duty to notify through the channel of the public papers, as he may think proper, the time and place for the meeting of the succeeding Convention. The Secretary shall annex to the journals of every succeeding Convention, a list of the clergy, with all alterations therein produced in the preceding year by ordinations, deaths, removals, suspensions, and degradations.

## ARTICLE IX

A Treasurer shall be appointed by the Convention, who shall continue in office during good behaviour, and who shall discharge the duties usually appertaining to that office.

## ARTICLE X.

Before the adjournment of each annual Convention, a standing committee, consisting of six members, three clerical and three of the lay order, who shall be communicants of the Church in the Diocese, shall be chosen by a ballot of the clergy and laity.

## ARTICLE XI.

Every parish within this Diocese shall be entitled to the entire benefit of this Convention, as soon as it shall have signi-

fied its ratification thereof, either in writing or by sending a lay delegate to the Convention; and such parish shall thereafter be benefited and bound, equally with the other parishes in this Diocese, by every rule and canon which shall be framed by any Convention acting under this Constitution, for the government of this Church in ecclesiastical concerns.

#### ARTICLE XII.

This Constitution shall be unalterable, except in the following manner: A proposition for any change shall be introduced in writing and considered in Convention; and, if approved of, the same shall be transmitted to the several vestries of the parishes which shall have ratified this Constitution; and, if again approved of in the next ensuing Convention, by a majority, the change shall then take place; and the Constitution, so altered, shall be valid and obligatory.

CANONS  
OF THE  
PROTESTANT EPISCOPAL CHURCH  
OF THE  
DIOCESE OF VIRGINIA.

ADOPTED MAY, 1849, AND MAY, 1850.

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CANON I.

*Of the Trial of a Bishop.*

The trial of a Bishop shall be on a presentment in writing, specifying the offence of which he is alleged to be guilty, with reasonable certainty as to time, place, and circumstances. Such presentment may be made for any crime or immorality, for heresy, for violation of the constitution, canons, or rubrics of the Protestant Episcopal Church, in the United States, or of this Diocese. Said presentment may be made by the Convention, two-thirds of each order present concurring: *Provided*, That two-thirds of the clergy, entitled to seats in said Convention be present; and *provided also*, that two-thirds of the parishes and churches, canonically in union with said Convention, be represented therein, and the vote thereon shall not, in any case, take place on the same day on which the resolution to present is offered. The Convention, making the presentment, shall by a concurrent vote, appoint a committee of prosecution, to consist of three presbyters and three lay members of their own body, by whom the presentment shall be signed in their official characters.

Such presentment shall be addressed to "the Bishops of the Protestant Episcopal Church in the United States." It shall be the duty of the committee of prosecution to cause said presentment to be delivered to the presiding Bishop, or, if he be the Bishop to be presented, then to the Bishop next in seniority,

who shall thereon, be fully empowered to proceed to the trial according to the provisions made by the canons of the General Convention.

The committee of prosecution shall attend the trial, and prosecute the same.

## CANON II.

### *Of the trial of a Clergyman, not being a Bishop.*

SEC. 1. The trial of a clergyman, not being a Bishop, shall be on a presentment in writing, specifying, with reasonable clearness and certainty as to time, place, and circumstance, the crime or misdemeanor, by violation of the canons or otherwise, charged; the said presentment to be made to the Bishop, either by the Convention, or by the vestry of the parish to which the accused belongs, or by any three presbyters of this Diocese, entitled to seats in the Convention: the said vestry, or presbyters, pledging themselves to act as a committee of prosecution. If, however, the presentment be made by the Convention, then the Convention shall appoint the committee of prosecution, and furnish them with such instructions as may be deemed necessary.

SEC. 2. Such presentment being made to the Bishop, and being accompanied by a further statement in writing of the names of the witnesses, and of the purport of their evidence, and by such documentary evidence as may be in their possession, the Bishop, unless the accusation appear to him an insufficient cause of presentment in itself, or to be clearly unsupported by evidence, shall immediately proceed to the trial according to the following provisions: He shall nominate from among the clergy, entitled to seats in the Convention, other than the members of the standing committee, eight presbyters, and cause a list of their names and a copy of the presentment to be furnished to the accused, or left at his place of residence. Of the eight presbyters, nominated as aforesaid, the accused may choose five, or, in case of his refusal, or neglect, for twenty days, so to do, the Bishop shall select five, and the presbyters so chosen, shall constitute a court for the trial of the accused. The Bishop shall also, at the same time, cause at least thirty days notice of the time and place of the trial to be given both to the accused and to the parties presenting him, and also to the presbyters nominated as before provided.

SEC. 3. The court shall appoint a President and Secretary—the first always from their own body.

SEC. 4. If the accused appear, before proceeding to trial, he shall be called on by the court to say whether he is guilty or not guilty of the offence, or offences, charged against him, and on his neglect or refusal to answer, the plea of *not guilty* shall be entered for him, and the trial shall proceed: *Provided*, that for sufficient cause, the court may adjourn, from time to time, and place to place: *And provided also*, that the accused shall, at all times during the trial, have liberty to be present, to produce his testimony, and to make his defence.

SEC. 5. On the request of the accused, or the committee of prosecution, witnesses may be summoned, if before the meeting of the court, by the Bishop, if during the session of the court, then by its President. All testimony shall be given under oath or affirmation, administered by some officer, authorized by law. In case the testimony of any witness, whose attendance on the trial cannot be obtained, is desired, it shall be lawful for either party, at any time after notice of the presentment is served on the accused, to apply to the court, if in session, or if not, to the Bishop, who shall thereupon appoint a commissioner to take the deposition of such witness; and such party, so desiring to take the deposition, shall give to the other party, or some one of them, reasonable notice of the time and place of taking the deposition, accompanying such notice with the interrogatories to be propounded to the witness: whereupon, it shall be lawful for the other party, within six days after such notice, to propound cross interrogatories; and such interrogatories and cross interrogatories, if any be propounded, shall be sent to the commissioner, who shall, thereupon, proceed to take the testimony of such witness, and transmit it under seal to the court. But no deposition shall be read at the trial, unless the court have reasonable assurance that the attendance of the witness cannot be procured, or unless both parties shall consent that it may be read.

SEC. 6. The court, having deliberately considered the evidence, shall, within ten days after closing the same, declare in a written judgment signed by them, or a majority of them, that the accused is guilty or not guilty, of the charge or charges, or any of them, laid in the presentment, in the order therein set forth, and also, if guilty, what punishment shall be awarded;

which judgment, with all the evidence received, shall be delivered forthwith to the Bishop; whereupon, unless the Bishop see cause to mitigate or remit the punishment, or to grant a new trial, he shall pronounce sentence according to the judgment of the court, and such sentence shall be final. In case a new trial is granted, a new court shall be constituted according to the provisions of this canon.

SEC. 7. If the accused shall neglect or refuse to appear before the court, when summoned according to section second of this canon, and no defence be there made under his authority, the court shall declare him to be in contumacy, and report the same to the Bishop, and sentence of suspension from the ministry shall pass against him for contumacy; but the said sentence shall be reversed by the Bishop, if, within three calendar months, the accused shall tender himself ready, and accordingly appear to take his trial on the presentment; but, if he shall not so tender himself before the expiration of the said three months, the sentence of degradation from the ministry, for contumacy, shall forthwith be pronounced by the Bishop, who shall cause such sentence to be publicly read to the congregations of the Diocese, by the respective ministers thereof.

SEC. 8. If, at any time, the accused shall confess himself guilty of the matters charged in the presentment, or any of them, the court shall proceed to award the punishment and certify the same as herein before provided, to the Bishop, who shall, unless he see cause to remit or mitigate the punishment, pronounce the sentence according to the canons.

SEC. 9. All notices and papers contemplated by this canon may be served by a summoner, or summoners, appointed by the Bishop, or by the court, when the same is in session, and the certificate of any such summoner shall be evidence of the due service of a notice or paper. The delivery of a written notice or paper to a party, or the leaving it at his last place of residence, shall be deemed a sufficient service of such notice or paper.

SEC. 10. The accused party may have the privilege of appearing by counsel, and, in case of the exercise of such privilege, but not otherwise, those presenting shall have the like privilege. If the party accused desire it, the trial shall be in public, and said party shall be entitled to a copy of the evidence, if he require it.

SEC. 11. In case of a presentment occurring during a va-

cancy in the Episcopal office, such presentment shall be made to the standing committee, who shall thereon take such steps as are by this canon enjoined on the Bishop: *Provided*, that on receiving the proceedings and judgment of the court, they shall transmit the same to the Bishop of some other Diocese, who shall be requested, and is hereby authorized, to act thereon, as if he were the Bishop of the Diocese, and if he shall concur in opinion with the court he shall proceed to pronounce sentence accordingly.

### CANON III.

#### *Of the proceedings in the trial of a Layman, after expulsion by the Minister from the Holy Communion.*

If any person repelled from the Holy Communion, shall allege to the Bishop that injustice has been done, or if, notwithstanding he shall have professed himself ready and willing, in truth and sincerity, to comply with the requisitions expressed in the rubric, in order to be restored to the Holy Communion, his repulsion shall be continued; he may present his complaint in writing to the Bishop, setting forth the grounds thereof, and desiring that he may be restored to the Communion—and then the Bishop, unless he think fit to restore the communicant from the insufficiency of the cause assigned by the minister, shall nominate two of the clergy and two of the laity, of whom the minister repelling shall select one of the clergyman and the communicant one of the laymen; and it shall be the duty of the two, thus chosen, to take without delay the evidence in the case, under oath and in writing, of such witnesses as may be produced by either of the parties, and to certify the same to the Bishop, who, thereupon, unless for his own satisfaction, or for good cause shown by either of the parties interested, he shall desire further evidence, shall proceed to adjudge the case. If further evidence be required, it shall be obtained and certified, either by the same commission, or by another appointed in the manner above prescribed, as the Bishop may direct. And when the evidence is thus procured, the Bishop shall adjudge the case, and shall communicate his judgment whenever made to the minister repelling and to the communicant repelled, which judgment shall be final and conclusive: *Provided*, that in case his judgment shall direct a further continuance of the repulsion,

it shall nevertheless be subject to all the conditions and provisions of the rubric.

#### CANON IV.

*Of the transfer of Communicants from one Parish, or Church, to another.*

Every communicant removing from one parish or church to another, within this Diocese, and desiring to be enrolled as a communicant thereof, shall present to the minister a certificate of regular standing from the minister, or, if there be no minister, from the vestry of the parish or church from which the communicant desires to be transferred.

#### CANON V.

*Ministers to be careful in admitting to Holy Communion.*

No minister shall enroll any persons as communicants in the parish or congregation under his charge, until he has conversed with them on the subject, or unless he shall be satisfied that they have been regular communicants in some other parish or congregation; nor shall he so enroll any one, who is known to deny the doctrines of the gospel, as generally set forth in the authorized standards of the church.

#### CANON VI.

*Communicants to have Family Worship.*

It shall be the duty of every communicant in this Church, who is at the head of a family, to live in the daily exercise of family worship.

#### CANON VII.

*The Members of this Church to instruct their Families in the principles of Religion.*

The members of this Church shall instruct their families, as far as they are able, in the principles of the Christian religion. Parents and sponsors shall be careful to teach their children the solemnity and obligation of their baptismal vow, to cause them to attend the catechetical and other instructions of their minister; and, as soon as they are sufficiently instructed and impressed with the importance and sacredness of their baptismal promise, shall take care that they come to the Bishop to be confirmed by him.

## CANON VIII.

*Of the due celebration of Sunday.*

All persons within this Church shall celebrate and keep the Lord's Day, commonly called Sunday, in hearing the Word of God read and taught, in private and public prayer, and in acts of charity, using all sober and godly conversation.

## CANON IX.

*Of Vestries, Church Wardens, &c.*

SEC. 1. The vestries shall be chosen for each parish in this Diocese, in the following manner: Every person above twenty-one years of age, resident of the parish six months next preceding the day of election, being a pew-holder or contributor to the charges of the parish, shall have a right of suffrage in the election of vestrymen for such parish; and all persons so qualified shall, on every Easter Monday, assemble in their respective parishes, at the parish church, or at such other place as the minister of the parish, or, if there be no minister, as any three or more vestrymen, or, if there be not three vestrymen, as any three members of the church may have publicly notified to the parishioners; and the said persons, so qualified to vote, when assembled, or such of them as may assemble in each parish, shall proceed, by a majority of votes, to elect, by ballot, five or more vestrymen, not exceeding twelve, from among the parishioners qualified to vote, who, with the minister of the parish for the time being, shall be the vestry of the said parish, for the ensuing year, and continue in office until their successors shall be elected and qualified to act.

SEC. 2. If, from any cause whatever, Easter Monday should elapse without any election of vestrymen, then the said election may be held on any other day (Sunday excepted) appointed for the purpose at any time thereafter, although it may be in any subsequent year, of which day notice shall be given by the minister, if there be any, in his church, immediately after divine service, on two succeeding Sundays, and, if there be no minister, by any two vestrymen, by writing, set up at the door of the church, two weeks before the day of meeting.

SEC. 3. Every person, chosen a vestryman, shall, before he acts as such, subscribe to the following declaration and promise:

“I do believe the Holy Scriptures of the Old and New Tes-

tament to be the Word of God, and to contain all things necessary to salvation; and I do yield my hearty assent and approbation to the doctrines and worship of the Protestant Episcopal Church in these United States. And I promise that I will faithfully execute the office of a vestryman of \_\_\_\_\_ parish in \_\_\_\_\_ county, without prejudice, favor, or affection, according to the best of my skill and knowledge.”

SEC. 4. The vestrymen of each parish, or a majority of those who shall attend, shall judge of the election of vestrymen, of the qualification of voters, and of the qualification of parishioners, proposed to be elected as vestrymen.

SEC. 5. If any vacancy happen in the vestry, or any elected shall refuse to serve, the other members shall have power to appoint a new member or members, as the case may be, to serve till the succeeding election.

SEC. 6. The minister of the parish, for the time being, shall preside in the vestry when present, collect the votes, and shall, upon an equal division of those present, have a vote, except in cases in which he is in any manner personally interested. A majority of the whole number of vestrymen shall be necessary to constitute a quorum.

SEC. 7. Whenever a meeting of the vestry shall be necessary, it shall be called by the minister, but, if there be no minister, or if he be absent, or refuse or neglect to call a meeting when requested to do so by any two of the vestrymen, they may themselves summon a vestry.

SEC. 8. On every Easter Monday, after the election of vestrymen, the vestry shall proceed to choose, from among their own body, two suitable persons to be Church Wardens for the ensuing year. If Church Wardens should not, from any cause, be chosen by the vestry on Easter Monday, they may be chosen at any subsequent meeting of the vestry.

SEC. 9. The vestry of every parish shall provide a fit person as Register of the Parish, whose duty it shall be to keep true and fair entries of the proceedings of such vestry, and whenever there shall be no minister of the parish, then he shall also enter in a book, provided for the purpose by the vestry, all baptisms, marriages, and funerals, in the parish, by any minister of the Protestant Episcopal Church, and which may be made known to him by any of the said ministers or vestrymen of the

parish; and it shall also be the duty of said register, in the entry of baptisms, to insert the christian names and surnames of the parents, with dates of the baptisms and births of the persons baptized; and, in the entry of marriages and burials, to insert the time of the celebration and the christian and surnames of the persons married and the persons buried.

SEC. 10. The term "parish," wherever it occurs in the foregoing canon, shall be interpreted also to mean church or congregation, whenever such church or congregation is entitled to a separate vestry, unless where the context requires a more restricted construction.

## C A N O N X.

### *Concerning exceptions to the foregoing Canon.*

Whereas the preceeding canon, which directs the manner of choosing vestrymen in the several parishes, is not applicable to the case of churches built and supported by voluntary associations of individuals; and it is proper that those who hold the sole property of a particular church—as in the case of the Monumental Church, Richmond, and in all similar cases—should provide for its care and management, the choice of vestrymen shall be made by the pew-holders of the respective churches, conforming, as to the time of appointment and manner of qualifying the vestrymen, to the regulations prescribed by the ninth canon, excepting in the case of Christ Church, in the city of Norfolk, which, being under peculiar circumstances in relation to the number of trustees, the time and manner of electing them and the Rector, the pew-holders are permitted to conform to their own regulations in those particulars.

## C A N O N XI.

### *Of the division of Parishes.*

SEC. 1. Whenever the members of the church, residing in a particular portion of a parish, shall desire to separate from the parish of which they form a part, it shall be lawful for them to assemble and appoint a committee to take such measures as may be necessary.

SEC. 2. The committee thus appointed shall give to the Bishop and to the majority of the vestry (if there be one) of the parish

from which they desire to be separated, a formal notice of their intention to apply for such purpose, which notice shall contain a description of the proposed line or lines of division, and shall be sent to the Bishop and said vestry, at least three months before the meeting of the Convention to which the application shall be made.

SEC. 3. Said application shall be made in the form of a petition to the Convention, and shall set forth the considerations which are supposed to render the division desirable; whereupon the Convention may, if they deem it expedient, proceed to divide said parish, and to constitute the portion thereof applying for separation a new parish, with all the rights and privileges of other parishes of this Diocese.

SEC. 4. As soon after the adjournment of the Convention as may be practicable, the committee aforesaid shall give at least two weeks' notice to the members of the church, residing in the new parish, to assemble for the election of a vestry, which election shall be conducted according to the directions contained in canon ninth.

SEC. 5. The committee aforesaid, or a majority of those who may attend, shall judge of the qualification of voters, and of the qualification of persons proposed to be elected, and of the election of vestrymen; and those persons whom said committee shall declare to be duly elected, shall be the vestry of said parish, until the election and qualification of the succeeding vestry.

## CANON XII.

### *Of the formation of New Congregations.*

When any number of persons belonging to any parish or congregation, sufficient to build a house of worship, and provide for the support of a minister, shall choose to separate from the parish or congregation, of which they have hitherto been a part, they may proceed, according to the directions given in the eleventh canon, except that, in this case, the direction as to a line or lines of division is inapplicable. The Convention may, on such petition, constitute the applicants a separate congregation, and authorize, by special enactment, such peculiar provisions, as to the right of suffrage, the employment of a minister, or ministers, and the manner of holding and managing the pro-

erty of such congregation, as they may propose, and the Convention deem expedient: *Provided*, that the time of electing and the manner of qualifying vestrymen shall always be conformed to the regulations prescribed in the ninth canon.

### CANON XIII.

#### *Of the Evidence of the Appointment of Lay Delegates to the Convention.*

The appointment of lay delegates to the Convention of this Diocese shall be certified by the rector, register, or warden of the proper parish or church, and said certificate shall be in form as follows:

“This is to certify, that at a meeting of the Vestry, (or Trustees, as the case may be,) of \_\_\_\_\_ Parish, (or Church,) in \_\_\_\_\_ county, held on the \_\_\_\_\_ day of \_\_\_\_\_, A. B., who is a communicant in said parish, or church, was appointed a Lay Delegate to represent the same in the Convention of the Protestant Episcopal Church in the Diocese of Virginia, to be holden on the \_\_\_\_\_ day of \_\_\_\_\_ in the year of our Lord, \_\_\_\_\_.

A—— B——, *Rector.*  
C—— D——, *Register, or*  
*Church Warden.*”

### CANON XIV.

#### *Of the Standing Committee.*

SEC. 1. Any vacancy occurring by death, or otherwise, in the Standing Committee, shall be supplied by the concurrent vote of the remaining clerical members, and lay members of the committee.

SEC. 2. In case of a vacancy in the Episcopate, the powers and duties to be performed by the Bishop, as regards discipline, except the pronouncing sentence of suspension, deposition or degradation from the ministry, shall belong to, and be performed by, the Standing Committee.

SEC. 3. The record of all the proceedings, on a presentment of a clergyman or layman, shall be preserved by the Standing Committee, and for that purpose shall, after a final decision, be delivered to their secretary.

SEC. 4. It shall be the duty of the Standing Committee, before every stated meeting of the General Convention, to draft, with the advice and approbation of the Bishop, a report of the state of the Church in this Diocese, to be presented to the General Convention.

SEC. 5. It shall be the duty of the Standing Committee, at every meeting of the Convention, to submit, in addition to the report of their proceedings, the documents also which have been laid before them during the year.

#### C A N O N X V .

##### *A List to be made of Ministers in this Diocese.*

SEC. 1. Within one week before every stated meeting of the Convention of this Diocese, the Bishop, or if there be no Bishop, the Standing Committee, shall prepare, or cause to be prepared, a list of all the ministers of the Protestant Episcopal Church, canonically resident in this Diocese, annexing the names of their respective cures, or of their stations as missionaries, or of the colleges, academies, or other seminaries of learning in which they are engaged, or in regard to those who have no cure, or are not engaged in missions, or institutions of learning, as above, their places of residence only. And such list, corrected as hereinafter mentioned, shall be laid before the Convention on the first day of meeting, and the names of the clerical members called therefrom, and be appended to the journal, and shall be transmitted to the Secretary of the General Convention.

SEC. 2. The list of the clergy of this Diocese, so prepared by the Bishop or Standing Committee, and annexed, according to the changes which may occur, whether by death, ordination, discipline; or canonical removals from, or admission into, this Diocese, shall be evidence of a clergyman's having a cure or mission, or engagement in a seminary of learning. And no clergyman, while suspended from the ministry, shall have a place on said list.

SEC. 3. The right of any clergyman to a seat in the Convention shall, if disputed, be determined according to the provisions of the constitution and canons, by the Convention itself, whether his name be inserted in the list aforesaid, or omitted.

SEC. 4. It shall be the duty of the clergy to attend regularly

at the meeting of every Convention. At the opening of the Convention, their names shall be called over, and absentees noted, and at the ensuing stated Convention, they shall be required to give excuses for their absence.

### CANON XVI.

#### *Of Candidates for Orders.*

If any candidate for orders in this Diocese shall be charged with any of the offences, for which a communicant may be subjected to discipline, or with having, without good and sufficient cause, desisted from his studies preparatory for ordination, the Bishop and Standing Committee shall carefully investigate the charge, and if satisfied that the offence alleged has been committed, the Bishop shall erase the name of the offender from the register, and inform him that he has ceased to be a candidate.

### CANON XVII.

#### *Respecting the Property of the Church.*

The vestries respectively shall hold all glebes, lands, parsonage houses, churches, books, plate, or other property, now belonging, or hereafter accruing, to the Protestant Episcopal Church of the Diocese of Virginia, as trustees for the benefit of the parish, or church, for whose use the same were, or shall hereafter be, purchased, or otherwise obtained; and may improve, demise, or otherwise dispose of the lands, or houses allowed for the minister's habitation or use, with the minister's consent; if there be no minister, with the consent of the Bishop; or in case there be no minister, and the Episcopal office be vacant, then not without the consent of the standing committee. The vestry may also use, improve, or dispose, of all personal property, and the produce, rents, and profits of lands and houses, (not appropriated for the occupancy and use of the minister,) belonging to the church, in repairing the church and parsonage house for the benefit of the respective parishes or churches, and may make such rules and orders for managing the affairs and temporal concerns of their respective churches and parishes as they shall think most conducive to their interest and prosperity. They shall have the sole power of directing the payment of money, belonging to the respective churches

and parishes, and appoint a clerk, treasurer, and collector, when necessary; all which proceedings shall be entered in a well bound book, to be kept for that purpose. But when there are trustees under the act of the Legislature, passed February 3d, 1842, authorized to hold real property, such real property shall not be subject to the provisions of this canon.

### CANON XVIII.

#### *Providing for the Expenses of the Diocese.*

The vestry of each parish or church shall, at every annual Convention, pay to the Treasurer such sums as may be apportioned to them respectively, for the purpose of defraying such expenses as may be authorized by the Convention.

### CANON XIX.

#### *Offenders to be admonished, or repelled from the Lord's Table.*

Any member of the church, being a communicant thereof, conducting himself or herself in a manner unworthy of a Christian, ought to be admonished, or repelled from the Lord's Table, by the minister of the parish or church, according to the rubric; and gaming, attendance on horse-racing and theatrical amusements, witnessing immodest and licentious exhibitions or shows, attending public balls, habitual neglect of public worship, or a denial of the doctrines of the Gospel, as generally set forth in the authorized standards of the church, are offences for which discipline should be exercised. This enumeration, however, shall not be construed to include all the subjects of discipline in the church, and in cases where it may be deemed expedient by the minister, or may be requested by the accused, the church wardens, or either of them, if communicants, shall be summoned to assist the minister in ascertaining the facts of the case: *Provided*, That if such warden or wardens shall fail or refuse to act within ten days, the minister shall proceed to act under the rubrics of this church.

### CANON XX.

#### *Concerning altering or adding to the Canons of this Church.*

No proposed alteration or addition to the canons shall hereafter be considered by the Convention, unless at least one day's

previous notice be given in open Convention, nor until such alteration or addition shall have been referred to, and reported upon by a committee of at least two presbyters and two laymen. Nor shall such alteration or addition be adopted during the same Convention if two-thirds of the members shall not concur therein; but in such case, it shall lie over for consideration until the next annual Convention.

#### CANON XXI.

All former canons of this Diocese, not included in these canons, are hereby repealed.



## A N A C T

# CONCERNING CHURCH PROPERTY.

*New Code of Virginia, Chapter 77, page 362.*

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§ 8. Every conveyance, devise, or dedication, shall be valid, which, since the first day of January, seventeen hundred and seventy-seven, has been made, and every conveyance shall be valid which hereafter shall be made, of land for the use or benefit of any religious congregation as a place for public worship, or as a burial-place, or a residence for a minister; and the land shall be held for such use or benefit, and for such purpose, and not otherwise.

§ 9. The circuit court of the county or corporation, wherein there may be any parcel of such land, or the greater part thereof, may, on application of the proper authorities of such congregation, from time to time, appoint trustees, either where there were or are none, or in place of former trustees, and change those so appointed, whenever it may seem to the court proper, to effect or promote the purpose of the conveyance, devise, or dedication; and the legal title to such land shall, for that purpose, be vested in the said trustees for the time being and their successors.

§ 10. When books or furniture shall be given or acquired for the benefit of such congregation, to be used on the said land, in the ceremonies of public worship, or at the residence of their minister, the same shall stand vested in the trustees, having the legal title to the land, to be held by them as the land is held, for the benefit of the congregation.

§ 11. The said trustees may, in their own names, sue for and recover such land or property, and be sued in relation thereto. Such suit, notwithstanding the death of any of the said trustees, or the appointment of others, shall proceed in the names of the trustees by or against whom it was instituted.

§ 12. Such trustees shall not take or hold at any one time more than two acres of land in an incorporated town, nor more than thirty acres out of such a town.

§ 13. Any one or more of the members of any religious congregation may, in his or their names, in behalf of such congregation, commence and prosecute a suit in equity against any such trustee, to compel him to apply such land or property for the use or benefit of the congregation, as his duty shall require. No member of the congregation need be made a defendant to such suit, but, in other respects, the same shall be proceeded in, heard and determined as other suits in equity, except that it may be proceeded in, notwithstanding the death of the plaintiff, as if he were still living.

NOTE.—On the 3d of February, 1842, an act was passed by the General Assembly of Virginia, entitled "An act concerning conveyances or devises of places of public worship," which law was inserted in the Journal of 1848, by order of the Convention.

As that law has been repealed by the above act, passed at the late revision of the Code of Virginia, which took effect on the 1st July, 1850, the Secretary deems it his duty to publish the said act in the Journal. He would call attention to the fact, that under this law no land can hereafter be *devised* for the use and benefit of any religious congregation, but must be *conveyed by deed* in the lifetime of the donor, whilst the act of 1842 legalized a *devise*, as well as a conveyance of lands for the use and benefit of any religious congregation as a place of public worship, or as a burial-place or parsonage.

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The following provisions of law relating to the Registration of Marriages are here inserted for the information of the Clergy:

The last Constitution of Virginia, Article IV. Sec. 36, says:

"§ 36. The General Assembly shall provide for the periodical registration in the several counties, cities, and towns, of the voters therein; and for the annual registration of the births, marriages and deaths in the white population, and of the births

and deaths in the colored population of the same, distinguishing between the numbers of the free colored persons and slaves."

In 1853, the Legislature enacted as follows:

"§ 2. Henceforth it shall be the duty of every minister or other person celebrating a marriage, and of the clerk or keeper of the records of any religious society which solemnizes marriages by the consent of the parties in open congregation, at once to make a record of every marriage between white persons solemnized by or before him, and within two months after such marriage to return a certificate thereof, signed by him, to the clerk of the court of the county or corporation in which the same is solemnized. Such record and certificate shall set forth, as far as the same can be ascertained, the date and place of the marriage, the full names of both the parties, their ages and condition before the marriage, (whether single or widowed,) the places of their birth and residence, the names of their parents and the occupation of the husband.

"§ 5. If any minister who shall give bond in order to his being authorized to celebrate marriage in this State, shall fail to comply with the second section, the condition of such bond shall be deemed to be hereby broken, and he shall also be subject to the penalty hereinafter prescribed for such failure.

"§ 6. Every such clerk of a court shall, on or before the first day of the next November term of his court, post, at the front door of his courthouse, a copy of the second section, with a statement of the penalties for violations thereof.

"§ 26. If any clerk of a court, commissioner of the revenue, physician, surgeon, coroner or *minister celebrating a marriage*, or clerk or keeper of the records of any religious society, shall, in any book, register or record, which such officer or person is by this act required to keep or make, or in any copy or certificate which by this act he is required to make or give, knowingly make any false, erroneous or fraudulent entry, record, registration or written statement, he shall for every such offence forfeit not less than one hundred nor more than five hundred dollars.

"§ 28. The auditor of public accounts shall furnish the clerk of every county and corporation court, and every commissioner of the revenue with all forms and instructions which he may deem necessary or proper for carrying this act into effect."

*Session Acts 1852-'3, p. 40-43, chap. 25.*

In 1854, it was "Resolved by the General Assembly of Virginia, that it shall be the duty of the auditor of public accounts to furnish from time to time printed forms to the clerks of the several county courts, of the returns necessary to be made *by ministers of the gospel under the second section of* an act passed, eleventh of April, one thousand eight hundred and fifty-three, entitled an act concerning the registration of births, marriages, and deaths, and that said clerks distribute the same among the ministers of their several counties authorized to perform the rites of matrimony."—*Acts 1853-'4, p. 139, No. 10.*

As to the bond referred to in the 5th section above, the Code, p. 469, § 4, provides:

"§ 4. When a minister of the gospel shall, before the court of any county or corporation in this State, produce proof of his ordination, and of his being in regular communion with the religious society of which he is reputed a member, and give bond in the penalty of fifteen hundred dollars, such court may make an order authorizing him to celebrate the rites of marriage."

# CONSTITUTION

AND

# CANONS

FOR THE GOVERNMENT OF THE

PROTESTANT EPISCOPAL CHURCH

IN THE

UNITED STATES OF AMERICA.

1853.

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## CONSTITUTION,

ADOPTED IN GENERAL CONVENTION, IN PHILADELPHIA, OCTOBER, 1789.

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### ARTICLE I.

There shall be a General Convention of the Protestant Episcopal Church in the United States of America, on the first Wednesday in October, in every third year, from the year of our Lord one thousand eight hundred and forty-one, and in such a place as shall be determined by the Convention; and in case there shall be an epidemic disease, or any other good cause to render it necessary to alter the place fixed on for any such meeting of the Convention, the Presiding Bishop shall have it in his power to appoint another convenient place (as near as may be to the place so fixed on) for the holding of such Convention; and special meetings may be called at other times, in the manner hereafter to be provided for; and this Church, in a majority of the Dioceses which shall have adopted this Constitution, shall be repre-

sented, before they shall proceed to business; except that the representation from two Dioceses shall be sufficient to adjourn; and in all business of the Convention freedom of debate shall be allowed.

#### ARTICLE II.

The Church in each Diocese shall be entitled to a representation of both the clergy and the laity, which representation shall consist of one or more deputies, not exceeding four of each order, chosen by the Convention of the Diocese; and in all questions, when required by the clerical and lay representation from any Diocese, each order shall have one vote; and the majority of suffrages by Dioceses shall be conclusive in each order, provided such majority comprehend a majority of the Dioceses represented in that order. The concurrence of both orders shall be necessary to constitute a vote of the Convention. If the Convention of any Diocese should neglect or decline to appoint clerical deputies, or if they should neglect or decline to appoint lay deputies, or if any of those of either order appointed should neglect to attend, or be prevented by sickness or any other accident, such Diocese shall nevertheless be considered as duly represented by such deputy or deputies as may attend, whether lay or clerical. And if, through the neglect of the Convention of any of the Churches which shall have adopted, or may hereafter adopt, this Constitution, no deputies, either lay or clerical, should attend at any General Convention, the Church in such Diocese shall nevertheless be bound by the acts of such Convention.

#### ARTICLE III.

The Bishops of this Church, when there shall be three or more, shall, whenever General Conventions are held, form a separate House, with a right to originate and propose acts for the concurrence of the House of Deputies, composed of clergy and laity; and when any proposed act shall have passed the House of Deputies, the same shall be transmitted to the House of Bishops, who shall have a negative thereupon; and all acts of the Convention shall be authenticated by both Houses. And in all cases, the House of Bishops shall signify to the Convention their approbation or disapprobation (the latter with their reasons in writing) within three days after the proposed act shall have been reported to them for concurrence; and in failure

thereof, it shall have the operation of a law. But until there shall be three or more Bishops, as aforesaid, any Bishop attending a General Convention shall be a member *ex officio*, and shall vote with the clerical deputies of the Diocese to which he belongs; and a Bishop shall then preside.

#### ARTICLE IV.

The Bishop or Bishops in every Diocese shall be chosen agreeably to such rules as shall be fixed by the Convention of that Diocese; and every Bishop of this Church shall confine the exercise of his Episcopal office to his proper Diocese, unless requested to ordain or confirm, or perform any other act of the Episcopal office by any Church destitute of a Bishop.

#### ARTICLE V.

A Protestant Episcopal Church in any of the United States or any Territory thereof, not now represented, may, at any time hereafter, be admitted on acceding to this Constitution; and a new Diocese to be formed from one or more existing Dioceses, may be admitted under the following restrictions:

No new Diocese shall be formed or erected within the limits of any other Diocese, nor shall any Diocese be formed by the junction of two or more Dioceses, or parts of Dioceses, unless with the consent of the Bishop and Convention of each of the Dioceses concerned, as well as of the General Convention.

No such new Diocese shall be formed, which shall contain less than eight thousand square miles in one body, and thirty presbyters, who have been for at least one year canonically resident within the bounds of such new Diocese, regularly settled in a parish or congregation, and qualified to vote for a Bishop. Nor shall such new Diocese be formed, if thereby any existing Dioceses shall be so reduced as to contain less than eight thousand square miles, or less than thirty presbyters, who have been residing therein, and settled and qualified as above mentioned.

In case one Diocese shall be divided into two Dioceses, the Diocesan of the Diocese divided may elect the one to which he will be attached, and shall thereupon become the Diocesan thereof. And the Assistant Bishop, if there be one, may elect the one to which he will be attached; and if it be not the one elected by the Bishop, he shall be the Diocesan thereof.

Whenever the division of the Diocese into two Dioceses shall

be ratified by the General Convention, each of the two Dioceses shall be subject to the Constitution and Canons of the Diocese so divided, except as local circumstances may prevent, until the same may be altered in either Diocese by the Convention thereof. And whenever a Diocese shall be formed out of two or more existing Dioceses, the new Diocese shall be subject to the Constitution and Canons of that one of the said existing Dioceses, to which the greater number of clergymen shall have belonged prior to the erection of such new Diocese, until the same may be altered by the Convention of the new Diocese.

#### ARTICLE VI.

The mode of trying Bishops shall be provided by the General Convention. The court appointed for that purpose shall be composed of Bishops only. In every Diocese, the mode of trying Presbyters and Deacons may be instituted by the Convention of the Diocese. None but a Bishop shall pronounce sentence of admonition, suspension, or degradation from the ministry, on any clergyman, whether Bishop, Presbyter, or Deacon.

#### ARTICLE VII.

No person shall be admitted to holy orders until he shall have been examined by the Bishop and by two Presbyters, and shall have exhibited such testimonials and other requisites as the Canons, in that case provided, may direct. Nor shall any person be ordained until he shall have subscribed the following declaration:

“ I do believe the Holy Scriptures of the Old and New Testament to be the Word of God, and to contain all things necessary to salvation; and I do solemnly engage to conform to the doctrines and worship of the Protestant Episcopal Church in the United States.”

No person ordained by a foreign Bishop shall be permitted to officiate as a minister of this Church, until he shall have complied with the Canon or Canons in that case provided, and have also subscribed the aforesaid declaration.

#### ARTICLE VIII.

A book of Common Prayer, administration of the Sacraments, and other rites and ceremonies of the Church, Articles of Religion, and a form and manner of making, ordaining and conse-

erating Bishops, Priests, and Deacons, when established by this or a future General Convention, shall be used in the Protestant Episcopal Church in those Dioceses which shall have adopted this Constitution. No alteration or addition shall be made in the Book of Common Prayer, or other Offices of the Church, or the Articles of Religion, unless the same shall be proposed in one General Convention, and by a resolve thereof made known to the Convention of every Diocese, and adopted at the subsequent General Convention.

#### ARTICLE IX.

This Constitution shall be unalterable, unless in General Convention, by the Church, in a majority of the Dioceses which may have adopted the same; and all alterations shall be first proposed in our General Convention, and made known to the several Diocesan Conventions, before they shall be finally agreed to, or ratified in the ensuing General Convention.

#### ARTICLE X.

Bishops for foreign countries, on due application therefrom, may be consecrated, with the approbation of the Bishops of this Church, or a majority of them, signified to the Presiding Bishop; he thereupon taking order for the same, and they being satisfied that the person designated for the office has been duly chosen, and properly qualified. The Order of Consecration to be conformed, as nearly as may be, in the judgment of the Bishops, to the one used in this Church. Such Bishops, so consecrated, shall not be eligible to the office of Diocesan, or Assistant Bishop, in any Diocese in the United States, nor be entitled to a seat in the House of Bishops, nor exercise any Episcopal authority in said States.

*Done in the General Convention of the Bishops, Clergy,  
and Laity of the Church, the 2d day of October, 1789.*

NOTE.—When the Constitution was originally adopted, in August, 1789, the first Article provided that the Triennial Convention should be held on the first Tuesday in August. At the adjourned meeting of the Convention, held in October of the same year, it was provided that the second Tuesday in September, in every third year, should be the time of meeting. The

time was again changed to the third Tuesday in May, by the General Convention of 1804.—See Bioren's edition of the Journals of the General Convention, 1817, pp. 61, 75 and 216.

The first Article was put into its present form at the General Convention of 1841.

The third Article was so altered by the General Convention of 1808, as to give the House of Bishops a full veto upon the proceedings of the other House.—See Journals of General Convention, pp. 248, 249.

The second sentence of the eighth Article was adopted at the General Convention of 1811.—See Journals of General Convention, p. 274.

The words, "or the Articles of Religion," were added to the eighth Article by the General Convention of 1829.

The fifth Article was put into its present form at the General Convention of 1838.

The same Convention adopted the following alterations.—See Journal of General Convention of 1838, p. 24.

Strike out the word "States," wherever it occurs in the first and second Articles, except where it follows the word "United," in the first part of the first Article, and insert in lieu of the word "States," the word "Dioceses." Strike out the word "States," wherever it occurs in the second, third, and fourth Articles, and insert in lieu thereof the word "Dioceses."

Strike out the words "or district," in the fourth Article.

Strike out the word "State," in the sixth Article, and insert the word "Diocese."

Strike out the word "States," in the eighth Article, and insert the word "Dioceses;" and in the eighth Article strike out the words "or States," after the words "every Diocese."

Strike out the word "States," in the ninth Article, and insert the word "Dioceses." Strike out the word "State," in the ninth Article, and insert the word "Diocesan."

The sixth Article was put into its present form at the General Convention of 1841.

Article X. was finally agreed to and ratified in the General Convention of 1844.

CANONS  
FOR THE GOVERNMENT OF THE  
PROTESTANT EPISCOPAL CHURCH  
IN THE  
UNITED STATES OF AMERICA.

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CANONS

*Passed in General Convention, in New York, October, 1832,  
being the Substance of various Canons adopted in General  
Conventions of said Church, from A. D. 1789, to A. D. 1832.*

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CANON I.

*Of the Orders of Ministers in this Church.*

[This Canon was adopted in 1789.]

In this Church there shall always be three orders in the Ministry, viz: Bishops, Priests, and Deacons.

CANON II.

*Of the Election of Bishops.*

[Repealed by Canon I. of 1835.\*]

CANON III.

*Of the Certificates to be produced on the part of the Bishop Elect.*

[Former Canons on this subject were the second of 1789, the fourth of 1792, and the third of 1808.]

SEC. 1. Every Bishop elect, before his consecration, shall produce to the House of Bishops, from the Convention by whom he is elected, evidence of such election, and from the House of Cle-

\* Now Canon II. of 1844.]

rical and Lay Deputies in General Convention, evidence of their approbation of his testimonials, and of their assent to his consecration, and also certificates respectively, in the following words: such certificates, in both cases, to be signed by a constitutional majority of the Clerical and Lay Deputies, composing the State Convention, or the House of Clerical and Lay Deputies, as the case may be. The same evidence of election by, and the same certificate from the members of the State Convention, shall be presented to the House of Clerical and Lay Deputies in General Convention.

*Testimony from the members of the Convention in the Diocese from whence the person is recommended for Consecration.*

We, whose names are underwritten, fully sensible how important it is that the sacred office of a Bishop should not be unworthily conferred, and firmly persuaded that it is our duty to bear testimony on this solemn occasion, without partiality or affection, do, in the presence of Almighty God, testify that A. B. is not, so far as we are informed, justly liable to evil report, either for error in religion or for viciousness in life; and that we do not know or believe there is any impediment on account of which he ought not to be consecrated to that holy office. We do, moreover, jointly and severally declare, that we do in our conscience believe him to be of such sufficiency in good learning, such soundness in the faith, and of such virtuous and pure manners, and godly conversation, that he is apt and meet to exercise the office of a Bishop, to the honor of God and the edifying of His Church, and to be a wholesome example to the flock of Christ.

The above certificate shall be presented to the House of Clerical and Lay Deputies in General Convention.

*Testimony from the House of Clerical and Lay Deputies in General Convention.*

We, whose names are underwritten, fully sensible how important it is that the sacred office of a Bishop should not be unworthily conferred, and firmly persuaded that it is our duty to bear testimony on this solemn occasion, without partiality or affection, do, in the presence of Almighty God, testify that A. B. is not, so far as we are informed, justly liable to evil report, either for

error in religion or for viciousness of life; and that we do not know or believe there is any impediment on account of which he ought not to be consecrated to that holy office; but that he hath, as we believe, led his life for three years last past, piously, soberly, and honestly.

SEC. 2. If the House of Bishops consent to the consecration, the Presiding Bishop, with any two Bishops, may proceed to perform the same, or any three Bishops to whom he may communicate the testimonials.

#### CANON IV.

##### *Of Standing Committees.*

[Former Canons on this subject were the sixth of 1789, the second of 1795, the fourth and twenty-fourth of 1808.]

SEC. 1. In every Diocese there shall be a Standing Committee, to be appointed by the Convention thereof, whose duties, except so far as provided for by the Canons of the General Convention, may be prescribed by the Canons of the respective Dioceses. They shall elect from their own body a President and a Secretary. They may meet on their own adjournment, from time to time; and the President shall have power to summon special meetings whenever he shall deem it necessary.

SEC. 2. In every Diocese where there is a Bishop, the Standing Committee shall be a Council of Advice to the Bishop. They shall be summoned on the requisition of the Bishop, whenever he shall wish for their advice. And they may meet of their own accord, and agreeably to their own rules, when they may be disposed to advise the Bishop.

SEC. 3. When there is no Bishop, the Standing Committee is the Ecclesiastical authority for all purposes declared in these Canons.

#### CANON V.

##### *Of the Consecration of Bishops during the Recess of the General Convention.*

[Former Canons on this subject were the second of 1799, the fifth of 1808, and the sixth of 1820.]

SEC. 1. If, during the recess of the General Convention, the Church, in any Diocese, should be desirous of the consecration of a Bishop elect, the Standing Committee of the Church in

such Diocese may, by their President, or by some person or persons specially appointed, communicate the desire to the Standing Committees of the Churches in the different Dioceses, together with copies of the necessary testimonials; and if the major number of the Standing Committees shall consent to the proposed consecration, the Standing Committee of the Diocese concerned shall forward the evidence of such consent, together with other testimonials, to the Presiding Bishop of the House of Bishops, or in case of his death, to the Bishop who, according to the rules of the House of Bishops, is to preside at the next General Convention, who shall communicate the same to all the Bishops of this Church in the United States; and if a majority of the Bishops consent to the consecration, the Presiding Bishop, or Bishop aforesaid, with any two Bishops, may proceed to perform the same; or any three Bishops to whom he may communicate the testimonials.

SEC. 2. The evidence of the consent of the different Standing Committees shall be in the form prescribed for the House of Clerical and Lay Duputies in General Convention; and without the aforesaid requisites, no consecration shall take place during the recess of the General Convention. But in case the election of a Bishop shall take place within a year before the meeting of the General Convention, all matters relative to the consecration shall be deferred until the said meeting.

## CANON VI.

### *Of Assistant Bishops.*

[The former Canon on this subject was the fifth of 1829.]

When a Bishop of a Diocese is unable, by reason of old age, or other permanent cause of infirmity, to discharge his Episcopal duties, one Assistant Bishop may be elected by and for the said Diocese, who shall in all cases succeed the Bishop in case of surviving him. The Assistant Bishop shall perform such Episcopal duties, and exercise such Episcopal authority in the Diocese, as the Bishop shall assign to him; and in case of the Bishop's inability to assign such duties declared by the Convention of the Diocese, the Assistant Bishop shall, during such inability, perform all the duties and exercise all the authorities which appertain to the office of Bishop. No person shall be elected or consecrated a Suffragan Bishop, nor shall there be

more than one Assistant Bishop in a Diocese at the same time.

### CANON VII.

*Of the performance of Episcopal Duties in vacant Dioceses.*

[Repealed by Canon III. of 1838.\*]

### CANON VIII.

*Of the age of those who are to be Ordained or Consecrated.*

[Former Canons on this subject were the fourth of 1789, the third of 1795, and the sixth of 1808.]

Deacon's orders shall not be conferred on any person until he shall be twenty-one years old, nor Priest's orders on any one until he shall be twenty-four years old. And no Deacon shall be ordained Priest, unless he shall have been a Deacon one year, except for reasonable causes it shall otherwise seem good unto the Bishop. No man shall be consecrated a Bishop of this Church until he shall be thirty years old.

### CANON IX.

*Of Candidates for Orders.*

[Repealed by Canon IV. of 1838.†]

### CANON X.

*Of the Conduct required in Candidates for Orders.*

[The former Canon on this subject was the eighth of 1808.]

The Bishop, or other Ecclesiastical authority who may have the superintendence of Candidates for Orders, shall take care that they pursue their studies diligently, and under proper direction, and that they do not indulge in any vain or trifling conduct, or in any amusements most liable to be abused to licentiousness, or unfavorable to that seriousness, and to those pious and studious habits, which become those who are preparing for the holy ministry.

### CANON XI.

*Of Candidates for Orders who are Lay Readers.*

[Former Canons on this subject were the tenth of 1804, and the nineteenth of 1808.]

No candidate for holy orders shall take upon himself to per-

\* Now Canon IV. of 1847.

† Now Canon VI. of 1847.

form the service of the Church, but by a license from the Bishop, or, if there be no Bishop, from the clerical members of the Standing Committee of the Diocese, in which such candidate may wish to perform the service. And such candidate shall submit to all the regulations which the Bishop or said clerical members may prescribe; he shall not use the absolution or benediction; he shall not assume the dress appropriate to Clergy-men ministering in the congregation; and shall officiate from the desk only; he shall conform to the directions of the Bishop or said clerical members, as to the sermons or homilies to be read; nor shall any lay reader deliver sermons of his own composition; nor, except in cases of extraordinary emergency, or very peculiar expediency, perform any part of the service, when a Clergy-man is present in the congregation.

### CANON XII.

#### *Of Candidates who may be refused Orders.*

[Former Canons on this subject were the ninth of 1804, and the sixteenth of 1808.]

No Bishop shall ordain any candidate, until he has inquired of him whether he has ever, directly or indirectly, applied for orders in any other Diocese; and if the Bishop has reason to believe that the candidate has been refused orders in any other Diocese, he shall write to the Bishop of the Diocese, or if there be no Bishop, to the Standing Committee, to know whether any just cause exists why the candidate should not be ordained. When any Bishop rejects the application of any candidate for orders, he shall immediately give notice to the Bishop of every Diocese, or, where there is no Bishop, to the Standing Committee.

### CANON XIII.

#### *Of the Learning of those who are to be Ordained.*

[Repealed by Canon V. of 1838.]

### CANON XIV.

#### *Of the Preparatory Exercises of a Candidate for Deacon's Orders.*

[Repealed by Canon V. of 1841.]

## CANON XV.

*Of the Testimonials to be produced on the part of those who are to be Ordained.*

[Former Canons on this subject were the sixth of 1789, the fourth of 1792, the second of 1795, and the twelfth of 1808.]

SEC. 1. No person shall be ordained Deacon or Priest in this Church, unless he exhibit to the Bishop the following testimonials from the Standing Committee of the Diocese for which he is to be ordained, which recommendation shall be signed by the names of a majority of all the Committee, the Committee being duly convened, and shall be in the following words:

“ We, whose names are hereunder written, testify that A. B. hath laid before us satisfactory testimonials, that for the space of three years last past, he hath lived piously, soberly, and honestly; and hath not written, taught, or held anything contrary to the doctrine or discipline of the Protestant Episcopal Church; and, moreover, we think him a person worthy to be admitted to the sacred order of \_\_\_\_\_. In witness whereof, we have hereunto set our hands, this — day of —, in the year of our Lord \_\_\_\_\_. ”

SEC. 2. But before a Standing Committee shall proceed to recommend any candidate, as aforesaid, to the Bishop, such candidate shall produce from the Minister and Vestry of the parish where he resides, or from the vestry alone, if the parish be vacant, or if the applicant be the Minister of the Parish, a Deacon desirous of Priest’s orders, or if there be no vestry, from at least twelve respectable persons of the Protestant Episcopal Church, testimonials of his piety, good morals, and orderly conduct, in the following form:

“ We, whose names are hereunto written, do testify, from evidence satisfactory to us, that A. B., for the space of three years last past, hath lived piously, soberly, and honestly; and hath not, so far as we know or believe, written, taught or held any thing contrary to the doctrine or discipline of the Protestant Episcopal Church; and moreover, we think him a person worthy to be admitted to the sacred order of \_\_\_\_\_. In witness whereof, we have hereunto set our hands, this — day of —, in the year of our Lord \_\_\_\_\_. ”

He shall also lay before the Standing Committee testimonials, signed by at least one respectable Presbyter of the Protestant Episcopal Church in the United States, in the following form:

“I do certify that A. B., for the space of three years last past, hath lived piously, soberly, and honestly, and has not, so far as I know or believe, written, taught, or held anything contrary to the doctrine or discipline of the Protestant Episcopal Church; and, moreover, I think him a person worthy to be admitted to the sacred order of —. This testimonial is founded on my personal knowledge of the said A. B., for one year last past, and for the residue of the said time, upon evidence that is satisfactory to me. In witness whereof, I have hereunto set my hand, this — day of —, in the year of our Lord —.”

SEC. 3. But in case a Candidate, for some peculiar circumstances not affecting his pious or moral character, should be unable to procure testimonials from the Minister and Vestry of the parish where he resides, the Standing Committee may accept testimonials of the purport above stated from at least twelve respectable members of the Protestant Episcopal Church, and from at least one respectable Presbyter of the said Church who has been personally acquainted with the candidate at least for one year.

SEC. 4. Every Candidate for holy orders, who may be recommended by the Standing Committee of any Church destitute of a Bishop, if he have resided for the greater part of the three years last past within the Diocese of any Bishop shall apply to such Bishop for ordination. And such Candidate shall produce the usual testimonials, as well from the Committee of the Diocese in which he has resided, as from the Committee of the Church in the Diocese for which he is to be ordained.

SEC. 5. In the case of a Candidate for Priest’s orders, who has been ordained a Deacon within three years preceding, the testimonials above prescribed may be so altered as to extend to such portion only of the three years preceding his application for Priest’s orders as have elapsed since his ordination as Deacon; and the Standing Committee shall allow the testimonials so altered the same effect as if in the form prescribed, and shall sign their own testimonial in such altered form, with the same effect as if in the form above prescribed, unless some circumstance shall have occurred that tends to invalidate the force of the evidence on which the Candidate was ordained Deacon.

## CANON XVI.

*Of Candidates coming from places within the United States, in which the Constitution of this Church has not been acceded to.*

[Former Canons on this subject were the eighth of 1804, and the fourteenth of 1808.]

It is hereby declared, that the Canons of this church which respect candidates for holy orders, shall affect as well those coming from places in the United States in which the Constitution of this Church has not been acceded to, as those residing in States or Territories in which it has been adopted, and in such cases, every candidate shall produce to the Bishop to whom he may apply for holy orders, the requisite testimonials, subscribed by the Standing Committee of the Diocese into which he has come.

## CANON XVII.

*Of Deacons.*

[The former Canon on this subject was the thirteenth of 1808.]

Every Deacon shall be subject to the regulations of the Bishop, or if there be no Bishop, of the clerical members of the Standing Committee of the Diocese for which he is ordained, unless he receive letters of dismissal therefrom to the Bishop or Ecclesiastical authority of some other Diocese, and be thereupon received as a Clergyman of such other Diocese; and he shall officiate in such places as the Bishop or the said clerical members may direct. It is hereby recommended, that at the time a candidate is finally examined for Deacon's orders, the Bishop shall assign to him in writing the subjects or studies on which it is expedient that he should be particularly examined before being ordained Priest; and with that view name also some author who has treated of such subjects or studies, from among the works recommended by the House of Bishops. And the said Deacon shall deliver this document to the Bishop who examines him for Priest's orders.

## CANON XVIII.

*Of the Preparatory Exercises of a Candidate for Priest's Orders.*

[The former Canon on this subject was the eleventh of 1808.]

A candidate for Priest's orders shall, before his ordination, be

required to undergo an examination in the presence of the Bishop, and two or more Presbyters, to be named by him, on any leading studies prescribed by the House of Bishops.

### CANON XIX.

#### *Of the Titles of those who are to be ordained Priests.*

[Former Canons on this subject were the fifth of 1789, and the thirteenth of 1808.]

No person shall be ordained Priest, unless he shall produce to the Bishop a satisfactory certificate from some church, parish, or Congregation, that he is engaged with them, and that they will receive him as their Minister, or unless he be a Missionary under the Ecclesiastical authority of the Diocese to which he belongs; or in the employment of some Missionary Society recognized by the General Convention; or, unless he be engaged as a Professor, Tutor, or Instructor of youth, in some College, Academy, or other seminary of learning, duly incorporated.

### CANON XX.

#### *Of the Times of Ordination.*

[Former Canons on this subject were the eighth of 1789, and the fifteenth of 1808.]

Agreeably to the practice of the Primitive church, the stated times of Ordination shall be on the Sundays following the Ember Weeks, viz: the Second Sunday in Lent, the Feast of Trinity, and the Sundays after the Wednesdays following the 14th day of September, and the 13th of December. Occasional Ordinations may be held at such other times as the Bishop shall appoint.

### CANON XXI.

#### *Of those who have officiated as Ministers among other Denominations of Christians, and apply for Orders in this Church.*

[Repealed by Canon III. of 1835.\*]

### CANON XXII.

#### *Of Clergymen ordained for Foreign Parts.*

[The former Canon on this subject was the eighteenth of 1808.]

No Bishop of this Church shall ordain any person to officiate

\* Now Canon VII. of 1838.

in any Congregation or Church destitute of a Bishop, situated without the jurisdiction of these United States, until the usual testimony from the Standing Committee, founded upon sufficient evidence of his soundness in the faith, and of his pious and moral character, has been obtained; nor until the candidate has been examined on the studies prescribed by the Canons of this Church. And should any such Clergyman, so ordained, wish to settle in any Congregation of this Church, he must obtain a special license therefor from the Bishop, and officiate as a probationer for at least one year.

### CANON XXIII.

*Of Clergymen Ordained by Foreign Bishops, or by Bishops not in Communion with this Church and desirous of officiating or settling in the Church.*

[Repealed by Canon VI. of 1841.\*]

### CANON XXIV.

*Of Ministers Celebrating Divine Service in a Foreign Language.*

[The former Canon on this subject was the sixth of 1829.]

When a Clergyman coming from a foreign country, and professing to be regularly ordained, shall be called to a Church of this Communion, in which Divine Service is celebrated in a foreign language, he may, with the approbation of the Bishop of the Diocese in which such Church is situated, acting with the advice and consent of the Standing Committee, or with the unanimous approbation of the Standing Committee, if there be no Bishop, and on complying with the other requisitions of the Canons, settle in the said Church, as the Minister thereof, without having resided one year in the United States, anything in Canon XXIII. to the contrary notwithstanding. And when a person, not a citizen of the United States, who has been acknowledged as an ordained Minister of any other denomination of Christians, applies for orders in this Church, on the ground of a call to a Church in which Divine Service is celebrated in a foreign language, the Standing Committee of the Diocese to which the said Church belongs, may, on sufficient evidence of fitness according to the Canons, and by a unanimous vote at a meeting duly con-

\* Now Canon IX. of 1844.

vened, recommend him to the Bishop for orders, and the Bishop may then ordain him, and he may be settled and instituted into the said Church, without his producing a testimonial to his character by a Clergyman, from his personal knowledge of him for one year, and without his having been a year resident in this country, anything in any other Canon of this Church to the contrary notwithstanding: *Provided*, that in both of the above cases, the person applying produce a certificate, signed by at least four respectable members of this Church, that they have satisfactory reason to believe the testimonials to his religious, moral, and literary qualifications, to be entitled to full credit.

## CANON XXV.

### *Of Episcopal Visitations.*

[Repealed by Canon IV. of 1850.]

## CANON XXVI.

### *Of the duty of Ministers in regard to Episcopal Visitations.*

[Former Canons on this subject were the eleventh of 1789, and the twenty-first of 1808.]

**SEC. 1.** It shall be the duty of Ministers to prepare young persons and others for the holy ordinance of Confirmation. And on notice being received from the Bishop, of his intention to visit any Church, which notice shall be at least one month before the intended Visitation, the Minister shall give immediate notice to his parishioners individually, as opportunity may offer; and also to the Congregation on the first occasion of public worship after the receipt of said notice. And he shall be ready to present, for Confirmation, such persons as he shall think properly qualified, and shall deliver to the Bishop a list of the names of those confirmed.

**SEC. 2.** And at every Visitation, it shall be the duty of the Minister, and of the Churchwardens or Vestry, to give information to the Bishop, of the state of the Congregation, under such heads as shall have been committed to them in the notice given as aforesaid.

**SEC. 3.** And further, the Ministers and Churchwardens of such Congregations as cannot be conveniently visited in any year, shall bring or send to the Bishop, at the stated meeting of the

Convention of the Diocese, information of the state of the Congregation, under such heads as shall have been committed to them, at least one month before the meeting of the Convention.

### CANON XXVII.

#### *Of Episcopal Charges and Pastoral Letters.*

[The former Canon on this subject was the twenty-third of 1808.]

It is deemed proper that every Bishop of this Church shall deliver, at least once in three years, a charge to the Clergy of the Diocese, unless prevented by reasonable cause. And it is also deemed proper, that from time to time he shall address to the people of this Diocese, Pastoral Letters on some points of Christian doctrine, worship, or manners.

### CANON XXVIII.

#### *Of Parochial Instruction.*

[The former Canon on this subject was the twenty-second of 1808.]

The Ministers of this Church who have charge of parishes or cures, shall not only be diligent in instructing the children in the Catechism, but shall also, by stated Catechetical lectures and instruction, be diligent in informing the youth and others in the Doctrines, Constitution and Liturgy of the Church.

### CANON XXIX.

#### *Of the Duty of Ministers to keep a Register.*

[Former Canons on this subject were the fifteenth of 1789, and the fortieth of 1808.]

**SEC. 1.** Every Minister of this Church shall keep a Register of Baptisms, Confirmations, Communicants, Marriages and Funerals, within his cure, agreeably to such rules as may be provided by the Convention of the Diocese where his cure lies; and if none should be provided, then in such manner as in his discretion he shall think best suited to the uses of such a Register.

And the intention of the Register of Baptisms is hereby declared to be, as for other good uses, so especially for the proving of the right of Church-membership of those who may have been admitted into this Church by the holy ordinance of Baptism.

**SEC. 2.** And further, every Minister of this Church shall

make out and continue, as far as practicable, a list of all families and adult persons within his cure; to remain for the use of his successor, to be continued by him, and by every future Minister in the same parish.

### CANON XXX.

*Of the Election and Institution of Ministers into Parishes or Churches.*

[Repealed by Canon XIV. of 1853.]

### CANON XXXI.

*Of the officiating of Ministers of this Church in the Churches or within the Parochial Cures of other Clergymen.*

[Repealed by Canon IX. of 1853.]

### CANON XXXII.

*Of Episcopal Resignations.*

[Repealed by Canon IV. of 1844.]

### CANON XXXIII.

*Of the Dissolution of all Pastoral Connection between Ministers and their Congregations.*

[Former Canons on this subject were the second of 1804, and the thirtieth of 1808.]

SEC. 1. When any Minister has been regularly instituted or settled in a parish or church, he shall not be dismissed without the concurrence of the Ecclesiastical authority of the Diocese; and in case of his dismissal without such concurrence, the vestry or congregation of such parish or church, shall have no right to a representation in the Convention of the Diocese, until they have made such satisfaction as the Convention may require. Nor shall any Minister leave his Congregation against their will, without the concurrence of the Ecclesiastical authority aforesaid; and if he shall leave them without such concurrence, he shall not be allowed to take a seat in any Convention of this Church, or be eligible into any church or parish, until he shall have made such satisfaction as the Ecclesiastical authority of the Diocese may require.

SEC. 2. In case of the regular and canonical dissolution ~~of~~ the connection between a Minister and his congregation, the Bishop, or, if there be no Bishop, the Standing Committee, shall direct the Secretary of the Convention to record the same. But if the dissolution of the connection between any Minister and his congregation be not regular or canonical, the Bishop or Standing Committee shall lay the same before the Convention of the Diocese, in order that the above mentioned penalties may take effect.

This Canon shall not be obligatory upon those Dioceses with whose usages, laws, or charters, it interferes.

#### CANON XXXIV.

##### *Of Differences between Ministers and their Congregations.*

[Former Canons on this subject were the fourth of 1804, and the thirty-second of 1808.]

In cases of controversy between Ministers who now, or may hereafter, hold the Rectorship of churches or parishes, and the vestry or congregation of such churches or parishes, which controversies are of such a nature as cannot be settled by themselves, the parties, or either of them, shall make application to the Bishop of the Diocese, or in case there be no Bishop, to the Convention of the same. And if it appear to the Bishop and a majority of the Presbyters, convened after a summons of the whole belonging to the Diocese, or, if there be no Bishop, to the Convention or the Standing Committee of the Diocese, if the authority should be committed to them by the Convention, that the controversy has proceeded to such lengths as to preclude all hope of its favorable termination, and that a dissolution of the connection which exists between them is indispensably necessary to restore the peace and promote the prosperity of the Church, the Bishop and his said Presbyters, or, if there be no Bishop, the Convention or the Standing Committee of the Diocese, if the authority should be committed to them by the Convention, shall recommend to such Ministers to relinquish their titles to their Rectorship, on such conditions as may appear reasonable and proper to the Bishop and his said Presbyters, or, if there be no Bishop, to the Convention, or the Standing Committee of the Diocese, if the authority should be committed to them by the Convention. And if such Rectors or congregations refuse to comply with such recommendation, the Bishop and his said Pres-

byters, or, if there be no Bishop, the Convention, or the Standing Committee of the Diocese, if the authority should be committed to them by the Convention, with the aid and consent of a Bishop, may, at their discretion, proceed, according to the Canons of the Church, to suspend the former from the exercise of any ministerial duties within the Diocese, and prohibit the latter from a seat in the Convention until they retract such refusal, and submit to the terms of the recommendation: and any Minister so suspended shall not be permitted, during his suspension, to exercise any ministerial duties. This Canon shall apply also to the cases of Assistant Ministers and their congregations.

### CANON XXXV.

*Of Ministers removing from one Diocese to another.*

[Repealed by Canon IV. of 1835.\*]

### CANON XXXVI.

*Of the Officiating of Persons not Ministers of this Church.*

[Former Canons on this subject were the fifth of 1792, and the thirty-fifth of 1808.]

No person shall be permitted to officiate in any congregation of this Church, without first producing the evidences of his being a Minister thereof, to the Minister, or, in case of vacancy or absence, to the churchwardens, vestrymen, or trustees of the congregation.

### CANON XXXVII.

*Of Offences for which Ministers shall be Tried and Punished.*

[Former Canons on this subject were the thirteenth of 1789, the first of 1801, the the twenty-sixth of 1808, and the second of 1829.]

SEC. 1. Every Minister shall be liable to presentment and trial, for any crime or gross immorality, for disorderly conduct, for drunkenness, for profane swearing, for frequenting places most liable to be abused to licentiousness, and for violation of the Constitution or Canons of this Church, or of the Diocese to which he belongs; and on being found guilty, he shall be admonished, suspended, or degraded, according to the Canons of the Diocese

\* Now Canon VII. of 1850.

in which the trial takes place, until otherwise provided for by the General Convention.

**SEC. 2.** If any Minister of this Church shall be accused, by public rumor, of discontinuing all exercise of the ministerial office without lawful cause, or of living in the habitual disuse of public worship, or of the Holy Eucharist, according to the offices of this Church, or of being guilty of scandalous, disorderly, or immoral conduct, or of violating the Canons, or preaching or inculcating heretical doctrine, it shall be the duty of the Bishop, or if there be no Bishop, the clerical members of the Standing Committee, to see that an inquiry be instituted as to the truth of such public rumor. And in case of the individual being proceeded against and convicted, according to such rules or process as may be provided by the Conventions of the respective Dioceses, he shall be admonished, suspended, or degraded, as the nature of the case may require, in conformity with their respective Constitutions and Canons.

### CANON XXXVIII.

*Of a Minister declaring that he will no longer be a Minister of this Church.*

[Repealed by Canon V. of 1850.]

### CANON XXXIX.

*Of Degradation from the Ministry, and of Publishing the Sentence thereof.*

[Former Canons on this subject were the third of 1792, and the twenty-seventh of 1808.]

**SEC. 1.** When any Minister is degraded from the Holy Ministry, he is degraded therefrom entirely, and not from a higher to a lower order of the same. Deposition, displacing, and all like expressions, are the same as degradation. No degraded Minister shall be restored to the Ministry.

**SEC. 2.** Whenever a Clergyman shall be degraded, the Bishop who pronounces sentence shall, without delay, give notice thereof to every Minister and Vestry in the Diocese, and also to all the Bishops of this Church, and where there is no Bishop, to the Standing Committee.

## CANON XL.

*Of a Clergyman in any Diocese chargeable with Misdemeanor in any other.*

[Repealed by Canon VI. of 1850.]

## CANON XLI.

*Of the Due Celebration of Sundays.*

[Former Canons on this subject were the fourteenth of 1789, and the thirty-ninth of 1808.]

All persons within this Church shall celebrate and keep the Lord's day, commonly called Sunday, in hearing the word of God read and taught, in private and public prayer, in other exercises of devotion, and in acts of charity, using all godly and sober conversation.

## CANON XLII.

*Of Crimes and Scandals to be Censured.*

[Former Canons on this subject were the twelfth of 1789, and the twenty-fifth of 1808, and the third of 1817.]

SEC. 1. If any persons within this Church offend their brethren by any wickedness of life, such persons shall be repelled from the Holy Communion agreeably to the rubric.

SEC. 2. There being the provision in the second rubric, before the Communion Service, requiring that every Minister repelling from the Communion shall give an account of the same to the Ordinary; it is hereby provided, that on the information to the effect stated being laid before the Ordinary, that is, the Bishop, it shall not be his duty to institute an inquiry, unless there be a complaint made to him in writing by the repelled party. But on receiving complaint it shall be the duty of the Bishop, unless he thinks fit to restore him, from the insufficiency of the cause assigned by the Minister, to institute an inquiry, as may be directed by the Canons of the Diocese in which the event has taken place. And the notice given as above by the Minister, shall be a sufficient presentation of the party repelled.

SEC. 3. In the case of a great heinousness of offence on the part of members of this Church, they may be proceeded against, to the depriving them of all privileges, of Church membership,

according to such rules or process as may be provided by the General Convention; and until such rules or process shall be provided, by such as may be provided, by the different State Conventions.

### CANON XLIII.

#### *Of a Congregation in any Diocese uniting with any other Diocese.*

[Former Canons on this subject were the eighth of 1795, the thirty-seventh of 1808, the first of 1817, and the second of 1820.]

Whereas, a question may arise, whether a congregation within the Diocese of any Bishop, or within any Diocese in which there is not yet any Bishop settled, may unite themselves with the Church in any other Diocese, it is hereby determined and declared, that all such unions shall be considered as irregular and void; and that every congregation of this Church shall be considered as belonging to the body of the Church of the Diocese within the limits of which they dwell, or within which there is seated a Church to which they belong. And no Clergyman having a parish or cure in more than one Diocese, shall have a seat in the Convention of any Diocese other than that in which he resides.

### CANON XLIV.

#### *Of the Mode of Publishing Authorized Editions of the Standard Bible of this Church.*

[The former Canon on this subject was the second of 1823.]

The Bishop of this Church in any Diocese, or, where there is no Bishop, the Standing Committee, is authorized to appoint from time to time, some suitable person or persons, to compare and correct all new editions of the Bible by the Standard Edition agreed upon by the General Convention. And a certificate of their having been so compared and corrected, shall be published with said book.

The following Resolution was ordered to accompany this Canon :

*Resolved by the two Houses of Convention,* That it be recommended to every future Convention to appoint a Joint Committee, to whom there may be communicated all errors, if any, in Editions of the Bible printed under the operation of a certain Canon of this Convention; such errors to be notified on the Journal of the Convention, to which they may at any time be presented by the Joint Committee.

## CANON XLV.

*Of the Use of the Book of Common Prayer.*

[Former Canons on this subject were the tenth of 1789, and the thirty-fourth of 1808.]

Every Minister shall, before all sermons and lectures, and on all other occasions of public worship, use the Book of Common Prayer, as the same is or may be established by the authority of the General Convention of this Church. And in performing said Service, no other prayers shall be used than those prescribed by the said book.

## CANON XLVI.

*Of the Mode of Publishing Authorized Editions of the Book of Common Prayer, &c.*

[Repealed by Canon VI. of 1835.\*]

## CANON XLVII.

*Of Forms of Prayer or Thanksgiving, for extraordinary occasions.*

[Former Canons on this subject were the ninth of 1795, and thirty-eighth of 1808.]

The Bishop of each Diocese may compose forms of prayer or thanksgiving, as the case may require, for extraordinary occasions, and transmit them to each Clergyman within his Diocese, whose duty it shall be to use such forms in his Church on such occasions. And the clergy in those States or Dioceses, or other places within the bounds of this Church, in which there is no Bishop, may use the form of prayer or thanksgiving composed by the Bishop of any Diocese. The Bishop in each Diocese may also compose forms of prayer to be used before legislative and other public bodies.

## CANON XLVIII.

*Of a List of the Ministers of this Church.*

[Former Canons on this subject were the sixteenth of 1789, the first of 1792, and the forty-first of 1808.]

**SEC. 1.** The Secretary of the House of Clerical and Lay Deputies shall keep a register of all the Clergy of this Church,

\* Now Canon VI. of 1847.

whose names shall be delivered to him in the following manner: that is to say, every Bishop of this Church, or, where there is no Bishop, the Standing Committee of the Diocese, shall at the time of every General Convention, deliver or cause to be delivered to the said Secretary, a list of the names of all the Ministers of this Church in their proper Diocese, annexing the names of their respective cures, or of their stations in any Colleges or other Seminaries of learning; or, in regard to those who have not any cures or other stations, their places of residence only. And the said list shall, from time to time, be published on the Journals of the General Convention.

SEC. 2. And further, it is recommended to the several Bishops of this Church, and to the several Standing Committees, that, during the intervals between the meetings of the General Convention, they take such means of notifying the admission of Ministers among them, as, in their discretion respectively, they shall think effectual to the purpose of preventing ignorant and unwary people from being imposed on, by persons pretending to be authorized Ministers of this Church.

#### CANON XLIX.

##### *Of the Mode of calling Special Meetings of the General Convention.*

[Former Canons on this subject were the first of 1789, and the forty-second of 1808.]

SEC. 1. The right of calling special meetings of the General Convention shall be in the Bishops. This right shall be exercised by the Presiding Bishop, or, in case of his death by the Bishop who, according to the rules of the House of Bishops, is to preside at the next General Convention; provided that the summons shall be with the consent, or on the requisition of a majority of the Bishops, expressed to him in such writing.

SEC. 2. The place of holding any special Convention shall be that fixed on by the preceding General Convention for the meeting of the next General Convention, unless circumstances shall render a meeting at such a place unsafe; in which case the Presiding Bishop may appoint some other place.

SEC. 3. The deputies elected to the preceding General Convention shall be deputies at such special Convention, unless in those cases in which other deputies shall be chosen in the mean-

time by any of the Diocesan Conventions, and then such other deputies shall represent, in the special Convention, the Church of the Diocese in which they have been chosen.

### CANON L.

*Of the Mode of transmitting Notice of all Matters submitted by the General Convention to the consideration of the Diocesan Conventions.*

[The former Canon on this subject was the forty-fourth of 1808.]

It shall be the duty of the House of Clerical and Lay Deputies, whenever any alteration of the Constitution is proposed, or any other subject submitted to the consideration of the several Diocesan Conventions, to give a particular notice thereof to the Ecclesiastical authority of this Church in every Diocese.

### CANON LI.

*Of the mode of securing an Accurate View of the State of the Church from time to time.*

[Repealed by Canon VII. of 1835.\*]

### CANON LII.

*Of the Alms and Contributions at the Holy Communion.*

[The former Canon on this subject was the first of 1814.]

The alms and contributions at the administration of the Holy Communion, shall be deposited with the Minister of the parish or with such Church officer as shall be appointed by him, to be applied by the Minister, or under his superintendence, to such pious and charitable uses as shall by him be thought fit.

### CANON LIII.

*Of the Requisites of a Quorum.*

In all cases in which a Canon directs a duty to be performed, or a power to be exercised, by a Standing Committee, or by the clerical members thereof, or by any other body consisting of several members, a majority of the said members, the whole having been duly cited to meet, shall be a quorum; and a majority of the quorum so convened, shall be competent to act, unless the contrary is expressly required by the Canon.

\* Now Canon XII. of 1853.

## CANON LIV.

*Of Defraying the Expenses of the General Convention.*

[Repealed by Canon VIII. of 1835.\*]

## CANON LV.

*Of the Trustees of the General Theological Seminary.*

[Repealed by Canon I. of 1847.]

## CANON LVI.

*Repealing former Canons.*

All former Canons of this Convention not included in these Canons, are hereby repealed.

*Done in General Convention, in the City of New York,  
October, 1832.*

*By order of the House of Bishops.*

WILLIAM WHITE, D. D., *Presiding Bishop.*

Attested, BIRD WILSON, D. D., *Secretary.*

*By order of the House of Clerical and Lay Deputies.*

WILLIAM E. WYATT, D. D., *President.*

Attested, HENRY ANTHON, D. D., *Secretary.*

\* Now Canon XV. of 1853.

# CANONS

PASSED IN GENERAL CONVENTION, IN PHILADELPHIA, AUGUST, 1835.

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## CANON I.

*Of the Election of Bishops.*

[Repealed by Canon I. 1838.\*]

## CANON II.

*Of Missionary Bishops.*

[Repealed by Canon II. of 1838.†]

## CANON III.

*Of those who have Officiated, without Episcopal Ordination, as Ministers among other Denominations of Christians and apply for Orders in this Church.*

[Repealed by Canon VII. of 1838.]

## CANON IV.

*Of Ministers removing from one Diocese to another.*

[Repealed by Canon VII. of 1841.‡]

## CANON V.

*Of Amenability and Citations.*

[Former Canons on this subject were the third of 1804, the thirty-first of 1808, the fourth of 1829, and the thirty-fifth of 1832.]

**SEC. 1.** Every Minister shall be amenable, for offences committed by him, to the Bishop, and if there be no Bishop, to the clerical members of the Standing Committee of the Diocese in which he is canonically resident at the time of the charge.

\* Now Canon II. of 1844.

† Now Canon VIII. of 1844.

‡ Now Canon VII. of 1850.

SEC. 2. Unless a State Convention shall otherwise provide, a citation to any Minister to appear at a certain time and place for the trial of an offence, shall be deemed to be duly served upon him, if a copy thereof is left at his last place of abode within the United States sixty days before the day of appearance named therein; and in case such Minister has departed from the United States, by also publishing a copy of such citation in some newspaper printed at the seat of Government of the State in which the Minister is cited to appear, six months before the said day of appearance.

#### CANON VI.

*Of the mode of Publishing Authorized Editions of the Books of Common Prayer, &c.*

[Repealed by Canon IX. of 1838.\*]

#### CANON VII.

*Of the Mode of securing an Accurate View of the State of the Church from time to time.*

[Repealed by Canon VIII. of 1841.†]

#### CANON VIII.

*Of Defraying the Expenses of the General Convention.*

[Repealed by Canon X. of 1838.‡]

*Done in General Convention, in the City of Philadelphia,  
August, 1835.*

*By Order of the House of Bishops,*

WILLIAM WHITE, D. D., *Presiding Bishop.*

Attested, BIRD WILSON, D. D., *Secretary.*

*By Order of the House of Clerical and Lay Deputies,*

WILLIAM E. WYATT, D. D., *President.*

Attested, HENRY ANTHON, D. D., *Secretary.*

\* Now Canon VII. of 1847.

† Now Canon XII. of 1853.

‡ Now Canon XV. of 1853.

# CANONS

PASSED IN GENERAL CONVENTION, IN PHILADELPHIA, SEPTEMBER, 1888.

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## CANON I.

*Of the Election of Bishops.*

[Repealed by Canon II. of 1844.]

## CANON II.

*Of Missionary Bishops.*

[Repealed by Canon VIII. of 1844.]

## CANON III.

*Of the Performance of Episcopal Duties in Vacant Dioceses.*

[Repealed by Canon IV. of 1847.]

## CANON IV.

*Of Candidates for Orders.*

[Repealed by Canon IX. of 1841.\*]

## CANON V.

*Of the Learning of those who are to be ordained.*

[Repealed by Canon VI. of 1853.]

## CANON VI.

*Candidates for Orders ineligible to the General Convention.*

No person who is a Candidate for Holy Orders in this Church shall be permitted to accept from any Diocesan Convention an appointment as a Lay Deputy to the House of Clerical and Lay Deputies of the General Convention.

\* Now Canon VII. of 1853.

## CANON VII.

*Concerning Candidates for Orders in this Church who have been Ministers, Licentiates, or Students of Theology, among other Religious Denominations.*

[Former Canons on this subject were the sixth of 1804, the seventeenth of 1808, the fourth and fifth of 1820, the first of 1829, the twenty-first and twenty-fourth of 1832, and the third of 1835.]

**SEC. 1.** All persons seeking admission to the Ministry of this Church, are to be regarded as candidates for Holy Orders.

**SEC. 2.** When a person who, not having had Episcopal ordination, has been acknowledged as an ordained Minister or Licentiate among any other denomination of Christians, shall desire to be ordained in this Church, he shall give notice thereof to the Bishop, or if there be no Bishop, to the Standing Committee of the Diocese in which he resides; or if he resides in a State or Territory in which there is no organized Diocese, to the Missionary Bishop within whose jurisdiction he resides, which notice shall be accompanied with a written certificate from at least two Presbyters of this Church, stating that from personal knowledge of the party, or satisfactory evidence laid before them, they believe that his desire to leave the denomination to which he has belonged has not arisen from any circumstance unfavorable to his religious or moral character, or on account of which it may be inexpedient to admit him to the exercise of the Ministry in this Church; and they may also add what they know or believe on good authority, of the circumstances leading to the said desire.

**SEC. 3.** If the Bishop or Standing Committee shall think proper to proceed, the party applying to be received as a candidate, shall produce to the Standing Committee the same testimonials of literary qualifications as are required of all other candidates; and also a testimonial from at least twelve members of the denomination from which he came, or twelve members of the Protestant Episcopal Church, or twelve persons, in part of the denomination from which he came, and in part Episcopalian, satisfactory to the committee, that the applicant has, for three years last past, lived piously, soberly, and honestly; and also a testimonial from at least two Presbyters of this Church, that they believe him to be pious, sober, and honest, and sincerely attached to the doctrines, discipline, and worship of the Church. The Standing Committee being satisfied on

these points, may recommend him to the Bishop to be received as a candidate for Orders in this Church, or in a vacant Diocese the Standing Committee may so receive him.

SEC. 4. Candidates admitted as above may, at the expiration of a period not less than six months, be ordained, on their passing the same examinations as other candidates for Deacon's Orders; and in the examinations, special regard shall be had to those points in which the denomination whence they come differs from this Church, with a view of testing their information and soundness in the same; and also to the ascertaining that they are adequately acquainted with the Liturgy and Offices of this Church; *Provided*, that in their case the testimonials shall be required to cover only the time since their admission as Candidates for Orders; and *Provided also*, that the provisions of the Canon concerning Candidates for Orders, as far as the same relates to the age of the person to whom the dispensation may be granted, and the mode and restrictions in and under which the same may be granted, shall apply to the persons mentioned in this Canon.

SEC. 5. Every candidate for the Ministry of any other denomination, who applies to be received as a Candidate for Orders in this Church, may be allowed by the Bishop, with the consent of the members of the Standing Committee, the period of time during which he has been a student of Theology, or candidate in such other denomination; *Provided*, the time so allowed does not exceed two years.

SEC. 6. When any person not a citizen of the United States who has been acknowledged, as an ordained Minister among any other denomination of Christians, shall apply for Orders in this Church, the Bishop to whom application is made shall require of him (in addition to the above qualifications) satisfactory evidence that he has resided at least one year in the United States previous to his application.\*

SEC. 7. Canon III. of 1835 is hereby repealed.

### C A N O N   V I I I .

#### *Of the Organizing of New Dioceses formed out of existing Dioceses.*

SEC. 1. Whenever any new Diocese shall be formed within

\* Compare this section with Canon XXIV. of 1832.

the limits of any other Diocese, or by the junction of two or more Dioceses or parts of Dioceses, and the same shall have been ratified by the General Convention, the Bishop of the Diocese within the limits of which another is formed, or in case of the junction of two or more Dioceses or parts of Dioceses, the Bishop of eldest consecration over the Dioceses furnishing portions of such new Diocese, shall thereupon call the Primary Convention of the new Diocese for the purpose of enabling it to organize, and shall fix the time and place of holding the same, such place being within the territorial limits of the new Diocese.

SEC. 2. In case there should be no Bishop who can call such Primary Convention pursuant to the foregoing provisions, then the duty of calling such Convention for the purpose of organizing, and the duty of fixing the time and place of its meeting, shall be vested in the Standing Committee of the eldest of the Dioceses, by the junction of which, or parts of which, the new Diocese may be formed. And such Standing Committee shall make such call immediately after the ratification of a division by the General Convention.

SEC. 3. Whenever one Diocese is about to be divided into two Dioceses, the Convention of the said Diocese shall declare which portion thereof is to be the new Diocese, and shall make the same known to the General Convention before the ratification of such division.

#### C A N O N I X .

*Of the mode of Publishing Authorized Editions of the Book of Common Prayer, &c.*

[Repealed by Canon VII. of 1847.]

#### C A N O N X .

*Of Defraying the Expenses of General Conventions.*

[Repealed by Canon I. of 1844.\*

#### C A N O N XI .

*Of Repealed Canons.*

SEC. 1. Whenever there shall be a repealing clause in any Canon, and the said Canon shall be repealed, such repeal shall

\* Now XV. of 1853.

not be a re-enactment of the Canon or Canons repealed by the said repealing clause.

SEC. 2. The provisions of this Canon shall also apply to Canons heretofore passed having repealing clauses.

*Done in General Convention, in the City of Philadelphia,  
September, 1838.*

*By order of the House of Bishops,*

ALEX. V. GRISWOLD, D. D., *Presiding Bishop.*

Attested, BIRD WILSON, D. D., *Secretary.*

*By order of the House of Clerical and Lay Deputies,*

WILLIAM D. WYATT, D. D., *President.*

Attested, HENRY ANTHON, D. D., *Secretary.*

# CANONS

PASSED IN GENERAL CONVENTION IN NEW YORK, OCTOBER, 1841.

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## CANON I.

### *Of the Treasurer of the Convention.*

At every triennial meeting of the General Convention, a Treasurer shall be chosen, who shall remain in office until the next stated Convention, and until a successor be appointed. It shall be his duty to receive and disburse all moneys collected under the authority of the Convention, and of which the collection and distribution shall not otherwise be regulated; and to invest, from time to time, for the benefit of the Convention, such surplus funds as he may have on hand. His accounts shall be rendered triennially to the Convention, and shall be examined by a committee acting under its authority. In case of a vacancy in the office of Treasurer, it shall be supplied by an appointment to be made by the Ecclesiastical authority of the Diocese to which he belonged; and the person so appointed shall continue to act until an appointment is made by the Convention.

## CANON II.

### *Of a Clergyman absenting himself from his Diocese.*

When a Clergyman has been absent from his Diocese during two years, without reasons satisfactory to the Bishop thereof, he shall be required by the Bishop to declare in writing the cause, or causes, of his absence; and if he refuse to give his reasons, or if these are deemed insufficient by the Bishop, the Bishop may, with the advice and consent of the Clerical members of the Standing Committee, suspend him from the Ministry; which suspension shall continue until he shall give, in writing, sufficient reasons for his absence; or until he shall renew his residence in his

Diocese; or until he shall renounce the Ministry, according to Canon XXXVIII. of 1832. In the case of such suspension, as above provided for, it shall be the duty of the Bishop to give notice thereof to every Bishop of this Church, and to the Standing Committee of every Diocese wherein there is no Bishop.

### CANON III.

#### *Of the Election of a Missionary Bishop to the Office of Diocesan Bishop.*

SEC. 1. When a Diocese entitled, agreeably to Section 2 of Canon I. of 1838, to the choice of a Bishop, shall elect as its Diocesan a Missionary Bishop of this Church; if such election have taken place within three months before a meeting of the General Convention, evidence thereof shall be laid before each House of the General Convention, and the concurrence of each House, and its express consent, shall be necessary to the validity of said election, and shall complete the same; so that the Bishop thus elected shall be thereafter the Bishop of the Diocese which has elected him.

SEC. 2. If the said election have taken place more than three months before a meeting of the General Convention, the above process may be adopted, or the following instead thereof, viz: The Standing Committee of the Diocese electing, shall give duly certified evidence of the election to every Bishop of this Church, and to the Standing Committee of every Diocese. On receiving notice of the concurrence of a majority of the Bishops, and a majority of the Standing Committees, in the election, and their express consent thereto, the Standing Committee of the Diocese concerned, shall transmit notice thereof to every Bishop of this Church, and to the Standing Committee of each vacant Diocese, which notice shall state what Bishops and what Standing Committees have consented to the election. And the same Committee shall transmit to every Congregation in the Diocese concerned, to be publicly read therein, a notice of the election to the Episcopate thereof of the Bishop thus elected; and also cause public notice thereof to be given in such other way as they may think proper.

SEC. 3.\* When, agreeably to Section 1 of Canon I. of 1838,

\* Canon II. of 1844, has virtually repealed this section.

a Diocese requests the General Convention to elect a Bishop for the same, if the House of Bishops should nominate a Missionary Bishop to the House of Clerical and Lay Deputies, a vote of the said House of Deputies, concurring in the nomination, shall complete the election of the said Missionary Bishop to the Diocesan charge of the Diocese concerned.

#### CANON IV.

*Of the Trial of Bishops.*

[Repealed by Canon III. of 1844.]

#### CANON V.

*Of the Preparatory Exercise of a Candidate for Deacon's Orders.*

[Repealed by Canon VIII. of 1853.]

#### CANON VI.

*Of Clergymen Ordained by Foreign Bishops in Communion with this Church, and desirous of officiating or settling in this Church.*

[Repealed by Canon IX. of 1844.]

#### CANON VII.

*Of Ministers removing from one Diocese to another.*

[Repealed by Canon V. of 1844.\*]

#### CANON VIII.

*Of the Mode of Securing an Accurate View of the State of the Church from time to time.*

[Repealed by Canon XII. of 1853.]

#### CANON IX.

*Of Candidates for Orders.*

[Repealed by Canon VI. of 1847.†]

\* Now Canon VII. of 1850.

† Now Canon VII. of 1853.

## CANON X.

*Of Clergymen Ordained by Bishops not in Communion with this Church, and desirous of officiating or settling in this Church.*

When a Deacon or Priest, ordained by a Bishop not in communion with this Church, shall apply to a Bishop for admission into the same as a Minister thereof, he shall produce a written certificate from at least two Presbyters of this Church, stating that from personal knowledge of the party, or satisfactory evidence laid before them, they believe that his desire to leave the communion to which he has belonged, has not arisen from any circumstance unfavorable to his religious or moral character, or on account of which it may be inexpedient to admit him to the exercise of the Ministry in this Church; and shall also, not less than six months after his application, in the presence of the Bishop and two or more Presbyters, subscribe the declaration contained in Article VII. of the Constitution; which being done, the Bishop being satisfied of his theological acquirements, may receive him as such.

*Done in General Convention, in the city of New York,  
October, 1841.*

*By Order of the House of Bishops,*

ALEX. V. GRISWOLD, D. D., *Presiding Bishop.*

Attested, JONATHAN M. WAINWRIGHT, D. D., *Secretary.*

*By Order of the House of Clerical and Lay Deputies.*

WILLIAM E. WYATT, D. D., *President.*

Attested, WM. COOPER MEADE, D. D., *Secretary.*

# CANONS

PASSED IN GENERAL CONVENTION, IN PHILADELPHIA, OCTOBER, 1844.

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## CANON I.

*Of the Expenses of General Conventions.\**

## CANON II.

*Of the Election of Bishops.*

[Former Canons on this subject were the first of 1795, the second of 1808, the first of 1817, the second of 1820, the second of 1832, the first of 1835, and the first of 1838.]

SEC. 1. To entitle a Diocese to the choice of a Bishop by the Convention thereof, there must be at the time of such choice, and have been during the year previous, at least six officiating Presbyters therein, regularly settled in a parish or Church, and qualified to vote for a Bishop; and six or more parishes represented in the Convention electing. But two or more adjoining Dioceses not having respectively the requisite number of Presbyters to entitle either to the choice of a Bishop, may associate and proceed to the choice of a Bishop, to exercise jurisdiction alike in each of the associated Dioceses, if there be at the time of such choice, and have been during the year previous, nine or more such Presbyters, residing in any part of such associated Dioceses qualified as aforesaid; and the Bishop so elected shall exercise Episcopal jurisdiction over each of the associated Dioceses, until such time as some one of said Dioceses having six or more Presbyters canonically qualified to elect a Bishop, shall elect him, and he shall have accepted the office as its own exclusive Diocesan: whereupon his connection with the other associated Diocese, or Dioceses, shall cease and determine; *Provided always*, that the Diocese thus associating in the election of a common Bishop, and the Conventions thereof, shall

\* Repealed by Canon XV. of 1853.

in all other respects remain as before unconnected and independent of each other ; and, *Provided also*, that such association shall be dissolved on the demise of the Bishop, if not before.

SEC. 2. A Minister is settled for all purposes here or elsewhere mentioned in these Canons, who has been engaged permanently by any parish, according to the rules of said Diocese, or for any term not less than one year.

SEC. 3. Canon 1. of 1838 is hereby repealed.

### CANON III.

#### *Of the Trial of a Bishop.*

[The former Canon on this subject was the fourth of 1841.]

SEC. 1. The trial of a Bishop shall be on a Presentment in writing, specifying the offence of which he is alleged to be guilty, with reasonable certainty as to time, place, and circumstances. Such Presentment may be made for any Crime or Immorality, for Heresy, for Violation of the Constitution or Canons of this Church, or of the Church in the Diocese to which he belongs. Said Presentment may be made by the Convention of the Diocese to which the accused Bishop belongs, two-thirds of each order present concurring: *Provided*, that two-thirds of the Clergy entitled to seats in said Convention be present: and *Provided also*, that two-thirds of the Parishes canonically in union with said Convention be represented therein; and the vote thereon shall not in any case take place on the same day on which the resolution to Present is offered: and it may also be made by any three Bishops of this Church. When made by the Convention, it shall be signed by a Committee of Prosecution consisting of three Clergymen and three Laymen, to be appointed for that purpose; and when by three Bishops, it shall be signed by them respectively, in their official characters.

SEC. 2. Such Presentment shall be addressed “ To the Bishops of the Protestant Episcopal Church in the United States,” and shall be delivered to the Presiding Bishop, who shall send copies thereof without delay to the several Bishops of this Church then being within the territory of the United States: *Provided*, that if the Presentment be made by three Bishops, no copies shall be sent to them: and *Provided further*, that if the Presiding Bishop be the subject of the Presentment, or if he be one of the three Bishops presenting, such Presentment shall be de-

livered to the Bishop next in seniority, the same not being one of the three presenting: whose duty it shall be, in such case, to perform all the duties enjoined by this Canon on the Presiding Bishop. Upon a Presentment made in either of the modes pointed out in Section 1 of this Canon, the course of proceeding shall be as follows:

SEC. 3. The Presiding Bishop shall, without delay, cause a copy of the Presentment to be served on the accused, and shall give notice, with all convenient speed, to the several Bishops then being within the territory of the United States, appointing a time and place for their assembling together; and any number thereof, being not less than seven, other than the Bishops presenting, then and there assembled, shall constitute the Court for the trial of the accused: he shall also, at the same time, cause at least thirty days' notice of the time and place of meeting to be given, both to the accused, and to the parties presenting him, by a Summoner to be appointed by him; and shall also call on the accused by a written summons to appear and answer. The place of trial shall always be within the Diocese in which the accused Bishop resides. If the accused Bishop appear, before proceeding to trial, he shall be called on by the Court to say, whether he is guilty or not guilty of the offence or offences charged against him; and on his neglect or refusal, the plea of *not guilty* shall be entered for him, and the trial shall proceed: *Provided*, that, for sufficient cause, the Court may adjourn from time to time: and *Provided also*, that the accused shall at all times, during the trial, have liberty to be present, to produce his testimony, and to make his defence.

SEC. 4. When the Court proceeds to trial, some officer authorized by law to administer oaths, may, at the desire of either party, be requested to administer an oath or affirmation to the witnesses, that they will testify the truth, the whole truth, and nothing but the truth, concerning the matters charged in the Presentment, and the testimony of each witness shall be reduced to writing. And in case the testimony of any witness whose attendance on the trial cannot be obtained, is desired, it shall be lawful for either party, at any time after notice of the Presentment is served on the accused, to apply to the Court, if in session, or if not, to any Bishop, who shall thereupon appoint a Commissary to take the deposition of such witness. And such party, so desiring to take the deposition, shall give to the other

party, or some one of them, reasonable notice of the time and place of taking the deposition, accompanying such notice with the interrogatories to be propounded to the witness; whereupon, it shall be lawful for the other party, within six days after such notice, to propound cross interrogatories; and such interrogatories and cross-interrogatories, if any be propounded, shall be sent to the Commissary, who shall thereupon proceed to take the testimony of such witness, and transmit it, under seal, to the Court. But no deposition shall be read at the trial, unless the Court have reasonable assurance that the attendance of the witness cannot be procured, or unless both parties shall consent that it may be read.

SEC. 5. The Court having fully heard the allegations and testimony of the parties, and deliberately considered the same, after the parties have withdrawn, shall declare respectively, whether, in their opinion, the accused be guilty or not guilty of the charges and specifications contained in the Presentment, in the order in which they are set forth; and the declaration of a majority of the Court being reduced to writing and signed by those who assent thereto, shall be considered as the judgment of the said Court, and shall be pronounced in the presence of the parties, if they choose to attend. And if it be that the accused is guilty, the Court shall, at the same time, pass sentence, and award the penalty of Admouition, Suspension, or Deposition, as to them the offence or offences proved may seem to deserve: *Provided*, that if the accused shall, before sentence is passed, show satisfactory cause to induce a belief that justice has not been done, the Court, or a majority of its members, may, according to a sound discretion, grant a re-hearing: and in either case, before passing sentence, the accused shall have the opportunity of being heard, if he have aught to say in excuse or palliation: *Provided*, that the accused shall not be held guilty unless a majority of the Court shall concur, in regard to one or more of the offences charged, and only as relates to those charges in which a majority so concur.

SEC. 6. If the accused Bishop neglect or refuse to appear, according to the summons of the Court, notice having been served on him as aforesaid, except for some reasonable cause, to be allowed by the said Court, they shall pronounce him to be in *contumacy*; and sentence of Suspension from the Ministry shall be pronounced against him for contumacy by the Court; but the

said sentence shall be reversed, if, within three calendar months, he shall tender himself ready, and accordingly appear, and take his trial on the Presentment. But if the accused Bishop shall not so tender himself before the expiration of the said three months, the sentence of Deposition from the Ministry shall be pronounced against him by the Court. And it shall be the duty of the Court, whenever sentence has been pronounced, whether it be on trial or for contumacy, to communicate such sentence to the Ecclesiastical authority of every Diocese of this Church; and it shall be the duty of said Ecclesiastical authorities to cause such sentence to be publicly read to the congregations of each Diocese by the respective Ministers thereof.

**SEC. 7.** All notices and papers contemplated in this Canon, may be served by a summoner or summoners, to be appointed by the Bishop to whom the Presentment is made, or by the Court, when the same is in session; and the certificate of any such summoner shall be evidence of the due service of a notice or paper. In case of service by any other person, the fact may be proved by the affidavit of such person. The delivery of a written notice or paper to a party, or the leaving it at his last place of residence, shall be deemed a sufficient service of such notice or paper.

**SEC. 8.** The accused party may have the privilege of appearing by counsel, and in case of the exercise of such privilege, but not otherwise, those presenting shall have the like privilege.

**SEC. 9.** If at any time, during the session of any General Convention, any Bishop shall make to the House of Bishops a written acknowledgment of his unworthiness or criminality in any particular, the House of Bishops may proceed, without trial, to determine by vote, whether the said offending and confessing Bishop shall be admonished, or be suspended from his office, or be deposed; and the sentence thus determined by a majority of the votes of the House of Bishops, shall be pronounced by the Bishop presiding, in the presence of the said House of Bishops, and entered on the Journal of the House, and a copy of the said sentence, attested by the hand and seal of the Presiding Bishop, shall be sent to the said Bishop, and to the Standing Committee of his Diocese, and to the Ecclesiastical authority of every Diocese of this Church; and it shall be the duty of said Ecclesiastical authorities to cause such sentence, unless it be the sentence

of admonition, to be publicly read to the Congregations of each Diocese, by the respective Ministers thereof.

SEC. 10. Any Bishop of this Church not having Ecclesiastical jurisdiction, shall be subject to Presentment, trial, and sentence, as hereinbefore provided, but shall not be included in any other provision of this Canon.

SEC. 11. Canon IV. of 1841 is hereby repealed.

#### CANON IV.

##### *Of Episcopal Resignations.*

[Repealed by Canon II. of 1850.]

#### CANON V.

##### *Of Ministers removing from one Diocese to another.*

[Repealed by Canon VII of 1850.]

#### CANON VI.

##### *Of a Discretion to be allowed in the Calling, Trial, and Examination of Deacons in certain cases.*

[Repealed by Canon V. of 1847.]

#### CANON VII.

##### *Of Foreign Missionary Bishops.*

[Repealed by Canon I. of 1850.]

#### CANON VIII.

##### *Of Missionary Bishops within the United States.\**

#### CANON IX.

##### *Of Clergymen Ordained in Foreign Countries by Bishops in Communion with this Church.*

[Former Canons on this subject were the ninth of 1789, the fifth of 1804, the thirty-sixth of 1808, the twenty-third of 1832, and the sixth of 1841.]

SEC. 1. A clergyman coming from a foreign country and professing to have been ordained out of the United States by a foreign Bishop in communion with this Church, or by a Bishop

\* Repealed by Canon X. of 1853.

consecrated for a foreign country by Bishops of this Church, under Article X. of the Constitution, or by a Missionary Bishop elected to exercise Episcopal functions in any place or places out of the United States, shall before he be permitted to officiate in any parish or congregation, exhibit to the Minister, or if there be no Minister, to the Vestry thereof, a certificate, signed by the Bishop of the Diocese, or if there be no Bishop, by the Standing Committee, duly convened, that his letters of orders are authentic, and given by some Bishop in communion with this Church, and whose authority is acknowledged by this Church; and also that he has exhibited to the Bishop or Standing Committee satisfactory evidence of his pious and moral character, and his theological acquirements; and, in any case, before he shall be permitted to settle in any church or parish, or be received into union with any Diocese of this Church, as a Minister thereof, he shall produce to the Bishop, or if there be no Bishop, the Standing Committee of such Diocese, a letter of dismission, from under the hand and seal of the Bishop with whose Diocese he has been last connected; which letter shall be, in substance, that provided for in Section I. of Canon V. of 1844, and shall be delivered within six months from the date thereof; and when such clergyman shall have been so received, he shall be considered as having passed entirely from the jurisdiction of the Bishop from whom the letter of dismission was brought, to the full jurisdiction of the Bishop or other Ecclesiastical authority by whom it shall have been accepted, and become thereby subject to all the Canonical provisions of this Church; *Provided*, that no such clergyman shall be so received into union with any Diocese until he shall have subscribed in the presence of the Bishop of the Diocese in which he applies for reception, and of two or more Presbyters, the declaration contained in Article VII. of the Constitution; which being done, said Bishop or Standing Committee, being satisfied of his theological acquirements, may receive him into union with this Church as a Minister of the same; *Provided also*, that such Minister shall not be entitled to settle in any parish or Church, as canonically in charge of the same, until he have resided one year in the United States subsequent to the acceptance of his letter of dismission.

SEC. 2. And if such foreign clergyman be a Deacon, he shall

reside in this country at least three years, and obtain in this country the requisite testimonials of character, before he be ordained a Priest.

SEC. 3. Canon VI. of 1841 is hereby repealed.

*Done in General Convention, in the City of Philadelphia,  
October, 1844.*

*By order of the House of Bishops.*

PHILANDER CHASE, D. D., *Presiding Bishop.*

Attested, JONATHAN M. WAINWRIGHT, D. D., *Secretary.*

*By order of the House of Clerical and Lay Deputies.*

WILLIAM E. WYATT, D. D., *President.*

Attested, Wm. COOPER MEADE, D. D., *Secretary.*

# CANONS

PASSED IN GENERAL CONVENTION, IN NEW YORK, OCTOBER, 1847.

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## CANON I.

*Of the Trustees of the General Theological Seminary.*

[The former Canon on this subject was the fifty-fifth of 1832.]

SEC. 1. It shall be the duty of the Secretary of the Convention of every Diocese, to forward to the House of Clerical and Lay Deputies, at every General Convention, a certificate of the nomination by the Diocese, of a Trustee or Trustees for the General Theological Seminary, and without such certificate the nomination shall not be confirmed.

SEC. 2. Canon LV. of 1832 is hereby repealed.

## CANON II.

*Of the Remission or Modification of Judicial Sentences.*

The Bishops of this Church who are entitled to seats in the House of Bishops, may altogether remit and terminate any Judicial Sentence which may have been imposed, or may hereafter be imposed, by Bishops acting collectively as a Judicial Tribunal, or modify the same so far as to designate a precise period of time or other specific contingency, on the occurrence of which, such sentence shall utterly cease and be of no further force or effect: *Provided*, that no such remission or modification shall be made, except at a meeting of the House of Bishops during the session of some General Convention, or at a Special Meeting of the said Bishops, which shall be convened by the Presiding Bishop on the application of any five Bishops, three months notice in writing of the time, place and object of the meeting being given personally to each Bishop, or left at his usual place of abode: *Provided also*, that such remission or modification be assented to by a number of said Bishops, not

less than a majority of the whole number entitled at the time to seats in the House of Bishops: *and Provided further*, that nothing in this Canon shall be understood to repeal or alter the provisions of Canon XXXIX. of 1832.

### CANON III.

#### *Of the Penalty of Suspension.*

Whenever the penalty of Suspension shall be inflicted on a Bishop, Priest or Deacon, in this Church, the sentence shall specify on what terms, or at what time, said penalty shall cease.

### CANON IV.

#### *Of the Performance of Episcopal Duties in Vacant Dioceses, or in a Diocese, the Bishop of which is under disability.*

[Former Canons on this subject were the first of 1795, the twentieth of 1808, the seventh of 1832, and the third of 1838.]

SEC. 1. Any Bishop, Assistant Bishop, or Missionary Bishop, may, on the invitation of the Convention, or the Standing Committee of any Diocese, where there is no Bishop, or where the Bishop is, for the time, under a disability to perform Episcopal offices, by reason of a judicial sentence, visit and perform Episcopal offices in that Diocese, or in any part thereof, and this invitation may be temporary, and it may at any time be revoked.

SEC. 2. A Diocese without a Bishop, or of which the Bishop is for the time, under a disability, by reason of a Judicial Sentence, may, by its Convention, be placed under the full Episcopal charge and authority of the Bishop of another Diocese, or of a Missionary Bishop who shall by that act be authorized to perform all the duties and offices of the Bishop of the Diocese so vacant, or having the Bishop disabled, until, in the case of a vacant Diocese, a Bishop is duly elected and consecrated for the same, and in the case of a Diocese, whose Bishop is disqualified as aforesaid, until the disqualification be removed, or until, in either case, the said act of the Convention be revoked.

SEC. 3. No Diocese thus placed under the full charge and authority of the Bishop of another Diocese, or of a Missionary Bishop, shall invite a second Bishop to perform any Episcopal duty, or exercise authority, till its connection with the first Bishop has expired or is revoked.

SEC. 4. Canon III. of 1838 is hereby repealed.

## CANON V.

*Of a discretion to be allowed in the Calling, Trial, and Examination of Deacons in certain cases.*

[Repealed by Canon V. of 1853.]

## CANON VI.

*Of Candidates for Orders.*

[Repealed by Canon VII. of 1853.]

## CANON VII.

*Of the mode of Publishing Authorized Editions of the Book of Common Prayer, &c.*

[Former Canons on this subject were the third of 1801, the forty-third of 1808, the Canon of 1821, the forty-sixth of 1832, the sixth of 1835, and the ninth of 1838.]

SEC. 1. The Bishop of this Church in any Diocese, or, where there is no Bishop, the Standing Committee thereof, shall appoint one or more Presbyters of the Diocese, who shall compare and correct all new editions of the common Prayer Book, the Articles, Offices, Metre Psalms, and Hymns, by some standard book; and a certificate of said editions having been so compared and corrected, shall be published with the same. And in case any edition shall be published without such correction, it shall be the duty of the Bishop, or, where there is no Bishop, of the Standing Committee, to give public notice that such edition is not authorized by the Church.

SEC. 2. The octavo edition of the Book of Common Prayer, the Articles, Offices, Metre Psalms, and Hymns, set forth by the General Convention of 1844, and published by the New York Bible and common Prayer Book Society, and by Harper & Brothers in 1845, is hereby declared to be the standard edition.

SEC. 3. Canon IX. of 1838 is hereby repealed.

*Done in General Convention, in the City of New York,  
October, 1848.*

*By order of the House of Clerical and Lay Deputies,*

PHILANDER CHASE, D. D., *Presiding Bishop.*

Attested, JONATHAN M. WAINWRIGHT, D. D., *Secretary.*

*By order of the House of Bishops,*

WILLIAM E. WYATT, D. D., *President.*

Attested, WM. COOPER MEADE, D. D., *Secretary.*

# CANONS

PASSED IN GENERAL CONVENTION, IN CINCINNATI, OCTOBER, 1850.

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## CANON I.

### *Of Foreign Missionary Bishops.*

[The former Canon on this subject was the seventh of 1844.]

SEC. 1. The House of Clerical and Lay Deputies may, from time to time, on nomination by the House of Bishops, elect a suitable person or persons to be a Bishop or Bishops of this Church, to exercise Episcopal functions in any missionary station or stations of this Church out of the territory of the United States, which the House of Bishops, with the concurrence of the House of Clerical and Lay Deputies, may have designated. The evidence of such election shall be a certificate, to be subscribed by a constitutional majority of said House of Clerical and Lay Deputies, expressing their assent to the said nomination, which certificate shall be produced to the House of Bishops; and if the House of Bishops shall consent to the consecration, they may take order for that purpose.

SEC. 2. Any Bishop elected and consecrated under this Canon, or any Foreign Missionary Bishop heretofore consecrated to exercise Episcopal functions in any place or country which may have been thus designated, shall have no jurisdiction except in the place or country for which he has been elected and consecrated. He shall not be entitled to a seat in the House of Bishops, nor shall he become a Diocesan Bishop in any organized Diocese within the United States, unless with the consent of three-fourths of all the Bishops entitled to seats in the House of Bishops, and also of three-fourths of the Clerical and Lay Deputies present at the session of the General Convention; or, in the recess of the General Convention, with the consent of the Standing Committees of three-fourths of the Dioceses.

SEC. 3. Any Bishop or Bishops consecrated under this Canon, or any Foreign Missionary Bishop heretofore consecrated, shall, on presentment by two-thirds of the Missionaries under his charge, for immorality, or heresy, or for a violation of the Constitution or Canons of this Church, be tried, and if found guilty, sentenced in all particulars as if he were actually resident within the limits of the United States, except that the trial may be within any Diocese in the United States.

SEC. 4. Any Bishop or Bishops elected and consecrated under this Canon, or any Foreign Missionary Bishop heretofore consecrated, may ordain as Deacons or Presbyters, to officiate within the limits of their respective missions, any persons of the age required by the Canons of this Church, who shall exhibit to him or them the testimonials required by Section 2 of Canon IX. of 1841, signed by not less than two of the ordained Missionaries of this Church who may be subject to his or their charge. Provided, nevertheless, that if there be only one ordained Missionary attached to the Mission, and capable of acting at the time, the signature of a Presbyter under the jurisdiction of any Bishop in communion with this Church, in good standing, may be admitted to supply the deficiency.

SEC. 5. Any Foreign Missionary Bishop consecrated under this Canon, or heretofore consecrated, may, by and with the advice of two Presbyters, one of whom, if necessity require, be a Presbyter in good standing under the jurisdiction of any Bishop in communion with this Church, dispense with those studies required from a candidate for Deacon's order by the Canon of this Church; *Provided*, no person shall be ordained by him who has not passed a satisfactory examination, in the presence of two Presbyters, as to his theological learning and aptitude to teach. And provided further, that no person shall be ordained by him until he shall have been a candidate for at least three years. Nor shall any Deacon so ordained be advanced to the order of Presbyters, who has not been in Deacon's Orders for at least one year. Nor shall any Deacon or Priest, who shall have been ordained under this Canon, be allowed to hold any cure, or officiate in the Church in these United States, until he shall have complied with existing Canons, relating to the learning of persons to be ordained.

SEC. 6. Any Foreign Missionary Bishop or Bishops elected,

and consecrated under this Canon, or any Foreign Missionary Bishop heretofore consecrated, shall have jurisdiction and government, according to the Canons of this Church, over all Missionaries or clergymen of this Church resident in the district or country for which he or they may have been consecrated.

SEC. 7. Every Bishop elected and consecrated under this Canon, or Foreign Missionary Bishop heretofore consecrated, shall report to each General Convention his proceedings and acts, and the state of the Mission under his supervision. He shall also make a similar report at least once every year, to the Board of Missions of this Church

SEC. 8. Canon VII. of 1844 is hereby repealed.

## CANON II.

### *Of Episcopal Resignations.*

[Former Canons on this subject were the thirty-second of 1832, and the fourth of 1844.]

SEC. 1. If, during the session of the General Convention, or within six calendar months before the meeting of any such Convention, a Bishop shall desire to resign his jurisdiction, he shall make known in writing to the House of Bishops such his desire, together with the reasons moving him thereto; whereupon the House of Bishops may investigate the whole case of the proposed resignation, including not only the facts and reasons that may be set forth in the application for the proposed resignation, but any other facts and circumstances bearing upon it, so that the whole subject of the propriety or necessity of such resignation, may be placed fully before the House of Bishops.

SEC. 2. An investigation having thus been made, the House of Bishops may decide on the application; and by the vote of a majority of those present, accept or refuse to accept such resignation; and in all cases of a proposed resignation, the Bishops shall cause their proceedings to be recorded on their Journal; and, in case of acceptance, the resignation shall be complete when thus recorded, and notice thereof shall be given to the House of Clerical and Lay Deputies.

SEC. 3. In case a Bishop should desire to resign at any period not within six calendar months before the meeting of a General Convention, he shall make known to the Presiding Bishop such his desire, with the reasons moving him thereto;

whereupon the Presiding Bishop shall communicate, without delay, a copy of the same to every Bishop of this Church, having Ecclesiastical jurisdiction; and also to the Standing Committee of the Diocese to which the Bishop desiring to resign may belong, and at the same time summon said Bishops to meet him in person, at a place to be by him designated, and at a time not less than three calendar months from the date of his summons; and should a number, not less than a majority of all the said Bishops, meet at the time and place designated, they shall then have all the powers given by the previous sections of this Canon to the House of Bishops; and should a number less than a majority assemble, they shall have power to adjourn from time to time, until they can secure the attendance of a majority of all the said Bishops. Should a proposed resignation of a Bishop be accepted at any meeting of the Bishops for that purpose held during a recess, then it shall be the duty of the senior Bishop present to pronounce such resignation complete, and to communicate the same to the Ecclesiastical authority of each Diocese, who shall cause the same to be communicated to the several clergymen in charge of congregations therein. And it shall be the further duty of the Presiding Bishop to cause such resignation to be formally recorded on the Journal of the House of Bishops that may meet in General Convention next thereafter. If the Bishop desirous of resigning should be the Presiding Bishop, then all the duties directed in this Canon to be performed by the Presiding Bishop, shall devolve upon the Bishop next in seniority.

**SEC. 4.** No Bishop whose resignation of the Episcopal jurisdiction of a Diocese has been consummated pursuant to this Canon, shall, under any circumstances, be eligible to any Diocese now in union, or which may hereafter be admitted into union with this Church; nor shall he have a seat in the House of Bishops; but he may perform Episcopal acts at the request of any Bishop of this Church having Ecclesiastical jurisdiction within the limits of his Diocese.

**SEC. 5.** A Bishop who ceases to have the Episcopal charge of a Diocese shall still be subject in all matters to the Canons and authority of the General Convention.

**SEC. 6.** In case a suspended Bishop of this Church should desire to resign at any period not within six calendar months

before the meeting of a General Convention, he shall make known by letter to the Presiding Bishop, such desire, whereupon the Presiding Bishop shall communicate a copy of the same to each Bishop of this Church having jurisdiction, and in case a majority of such Bishops shall return to the Presiding Bishop their written assent to such resignation, the same shall be deemed valid and final, and written information of the said resignation shall at once be communicated by the Presiding Bishop to the Bishop and Diocese concerned, and to each Bishop of this Church.

**SEC. 7.** Canon IV. of 1844 is hereby repealed.

### CANON III.

*Of the Election of a Provisional Bishop in the case of a Diocese whose Bishop is suspended without a precise limitation of time.*

A Diocese deprived of the services of its Bishop by a sentence of suspension without a precise limitation of time, may proceed to the election of a Provisional Bishop, who, when duly consecrated, shall exercise all the powers, and authority of the Bishop of the Diocese during the suspension of such Bishop, and who in case of the remission of the sentence of the Bishop, and his restoration to the exercise of his jurisdiction, shall perform the Duties of Assistant Bishop prescribed by Canon VI. of 1832, and who in all cases shall succeed to the Bishop, on his death or resignation.

### CANON IV.

*Of Episcopal Visitations.*

[Former Canons on this subject were the third of 1789, the first of 1795, the fourth of 1801, the twentieth of 1808, and the twenty-fifth of 1832.]

**SEC. 1.** Every Bishop in this Church shall visit the Churches within his Diocese, for the purpose of examining the state of his Church, inspecting the behavior of his Clergy, ministering the Word, and, if he think fit, the Sacrament of the Lord's Supper to the people committed to his charge, and administering the Apostolic Rite of Confirmation. And it is deemed proper that such visitation be made once in three years, at least, by every Bishop to every Church within his Diocese, which shall make provision for defraying the necessary expenses of the Bishop at

such visitation. And it is hereby declared to be the duty of the Minister and Vestry of every Church or Congregation, to make such provision accordingly.

SEC. 2. But it is to be understood that to enable the Bishop to make the aforesaid visitation, it shall be the duty of the Clergy in such reasonable rotation as may be devised, to officiate for him in any parochial duties which may belong to him.

SEC. 3. It shall be the duty of the Bishop to keep a register of his proceedings at every visitation of his Diocese.

SEC. 4. Canon XXV. of 1832 is hereby repealed.

#### CANON V.

##### *Of a Minister declaring that he will no longer be a Minister of this Church.*

[Former Canons on this subject were the second of 1817, the seventh of 1820, the third of 1829, and the thirty-eighth of 1832.]

SEC. 1. If any Minister of this Church, against whom there is no ecclesiastical proceeding instituted, shall declare in writing to the Bishop of the Diocese to which he belongs, or to any Ecclesiastical authority for the trial of a Clergyman, or where there is no Bishop to the Standing Committee, his renunciation of the Ministry, and his design not to officiate in future in any of the Offices thereof, it shall be the duty of the Bishop, or where is no Bishop, of the Standing Committee, to record the declaration so made; and it shall be the duty of the Bishop to depose him from the Ministry, and to pronounce and record, in the presence of two or more Clergymen, that the person so declaring has been deposed from the Ministry of this Church. In any Diocese in which there is no Bishop, the same sentence may be pronounced by the Bishop of any other Diocese, invited by the Standing Committee to attend for that purpose. *Provided always*, nevertheless, that if the Bishop to whom such declaration renouncing the Ministry is made, have reason to believe that the party has acted unadvisedly and hastily, he may forbear all action thereupon for the space of not more than six months, during which time the party may withdraw his application. And *provided further*, that if the Bishop shall have ground to suppose the party to be liable to presentment for any canonical offence, in his discretion he may, and with the consent of the Standing Committee, proceed to have the applicant put upon his trial, notwithstanding

his having made the aforesaid declaration. And the same discretion is allowed to the Standing Committee, in case the Diocese should be without a Bishop.

In the case of deposition from the Ministry, as above provided for, it shall be the duty of the Bishop to give notice thereof to every Bishop of this Church, and to the Standing Committee of every Diocese wherein there is no Bishop.

SEC. 2. Canon XXXVIII. of 1832 is hereby repealed.

#### CANON VI.

*Of a Clergyman in any Diocese or Missionary District chargeable with Misdemeanor in any other.*

[Former Canons on this subject were the second of 1792, the twenty-eighth of 1808, and the fortieth of 1832.]

SEC. 1. If a Clergyman of this Church, belonging to any Diocese or Missionary District, conduct himself in such a way as is contrary to the rules of this Church, and disgraceful to his Office, the Ecclesiastical authority thereof shall give notice of the same to the Ecclesiastical authority where he is canonically resident, exhibiting with the information given reasonable ground for presuming its correctness. If the Ecclesiastical authority when thus notified shall omit for the space of three months to proceed against the offending Clergyman, it shall be in the power of the Ecclesiastical authority of the Diocese or Missionary District, within which the alleged offence or offences were committed, to institute proceedings, and the decision given shall be conclusive.

SEC. 2. If a Clergyman shall come temporarily into any Diocese under the imputation of having elsewhere been guilty of any crime or misdemeanor, by violation of the Canons, or otherwise; or if any Clergyman while sojourning in any Diocese shall misbehave in any of these respects, the Bishop, upon probable cause, may admonish such Clergyman, and forbid him to officiate in said Diocese. And if, after such prohibition, the said Clergyman so officiate, the Bishop shall give notice to all the Clergy and Congregations in said Diocese, that the officiating of the said Clergyman is under any and all circumstances, prohibited, and like notice shall be given to the Bishop, or if there

be no Bishop to the Standing Committee, of the Diocese to which the said Clergyman belongs. And such prohibition shall continue in force until the Bishop of the first named Diocese be satisfied of the innocence of the said Clergyman, or until he be acquitted on trial.

SEC. 3. The provisions of the second section shall apply to Clergymen ordained in foreign countries by Bishops in Communion with this Church: *Provided*, that in such case, notice of the prohibition shall be given to the Bishop under whose jurisdiction the Clergyman shall appear to have been last, and also to all the Bishops exercising jurisdiction in this Church.

SEC. 4. Canon XL. of 1832 is hereby repealed.

## CANON VII.

### *Of Clerical Residence and Removal.*

SEC. 1. Clergymen of this Church removing within the jurisdiction of any Bishop or other Ecclesiastical authority, shall, in order to gain full Canonical residence in the same, present to said Ecclesiastical authority a Testimonial from the Ecclesiastical authority of the Diocese or Missionary district in which they last resided, which Testimonial shall be to the following effect, *viz.*:

“I hereby certify that A. B., who has signified to me his desire to be transferred to the Ecclesiastical authority of ——, is a Presbyter (or Deacon) of ——, in regular standing, and has not, so far as I know or believe, been justly liable to evil report for error in religion or viciousness of life for three years last past.”

And if the Clergyman remove to another Diocese, and has been called to take charge of a Parish or Congregation within such Diocese, and present the Testimonial aforesaid, it shall be the duty of the Ecclesiastical authority of the Diocese to which he has removed to accept it, unless the Bishop or Standing Committee should have heard rumors, that he or they believe to be well founded, against the character of the Clergyman concerned, which would form a proper ground of Canonical inquiry and presentment, in which case the Ecclesiastical authority shall communicate the same to the Bishop or Standing Com-

mittee of the Diocese to whose jurisdiction the said Clergyman belongs; and in such case it shall not be the duty of the Ecclesiastical authority to accept the testimonial unless and until the Clergyman shall be exculpated from the said charges.

SEC. 2. In case anything shall have occurred to render the language of this Testimonial inapplicable to the Clergyman who proposes to remove, the Ecclesiastical authority shall give such a statement of facts as shall set forth his true standing and character.

SEC. 3. This letter shall not affect a Clergyman's Canonical residence, until, after having been presented according to its address, it shall have been accepted, and notification of such acceptance given to the authority whence it proceeded. The residence of the Clergyman so transferred, shall date from the acceptance of his letter of transfer. If not presented within three months after its date, it may be considered as void, by the authority whence it proceeded: and shall be so considered, unless it be presented within six months.

SEC. 4. No Clergyman removing from one Diocese or Missionary district to another, officiate as the Rector, stated Minister, or Assistant Minister of any Parish or Congregation of the Diocese or district to which he removes, until he shall have presented to the Ecclesiastical authority of the same, a Testimonial as above described, and shall have obtained from said Ecclesiastical authority a certificate in the words following:

“I hereby certify, that the Rev. A. B. has been canonically transferred to my jurisdiction, and is a Clergyman in regular standing.”

SEC. 5. It shall be the duty of all Clergyman, except Professors in the General Theological Seminary, Officers of the Board of Missions, and Chaplains in the Army and Navy, to obtain and present letters of transfer, as above described, whenever they remove from one Diocese or Missionary district to another, and remain therein for the space of six months.

SEC. 6. No Clergyman shall officiate transiently in a vacant Parish, or in one the Rector or Minister of which is sick or absent, unless the Wardens or Vestry are satisfied he is at the time a Clergyman in good and regular standing. When from another Diocese, letters commendatory from the Ecclesiastical authority thereof may be required.

SEC. 7. Canon V. of 1844 is hereby repealed.

*Done in General Convention in the City of Cincinnati,  
October, 1850.*

*By Order of the House of Bishops,*

PHILANDER CHASE, D. D., *Presiding Bishop.*

Attested, JONATHAN M. WAINWRIGHT, D. D., *Secretary.*

*By Order of the House of Clerical and Lay Deputies.*

WILLIAM E. WYATT, D. D., *President.*

Attested, M. A. DEWOLFE HOWE, D. D., *Secretary.*

# CANONS

PASSED IN GENERAL CONVENTION IN NEW YORK, OCTOBER, 1853.

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## CANON I.

*Of the Abandonment of the Communion of the Church by any Bishop, Priest, or Deacon.*

In all cases where a Bishop, Presbyter, or Deacon of this Church, without availing himself of the provisions of Canons II. and V. of 1850, has abandoned her Communion or shall hereafter abandon it, either by an open renunciation of the doctrines, Discipline and Worship of this Church, or by a formal admission into any religious body not in Communion with the same: such Bishop, Presbyter, or Deacon shall be held, *ipso facto*, as deposed to all intents and purposes; and shall thereupon be pronounced deposed; if a Presbyter or Deacon, by the Bishop having jurisdiction, with the consent of the Standing Committee; and if a Bishop, by the Presiding Bishop, with the consent of the majority of the members of the House of Bishops. And notice of such deposition shall be given as in like cases.

## CANON II.

*Of the Abandonment of the Communion of the Church by a Presbyter or Deacon.*

In any proceedings against a Presbyter or Deacon under Canon I. of 1853 by his Bishop, whenever the abandonment charged shall not be evidenced by writing signed by the party, he shall have three months' notice, to be given in such manner as may be prescribed by the Bishop, that his deposition will be pronounced unless cause be shown to the contrary.

## CANON III.

*Of Bishops Absent from their Dioceses because of Sickness, or other sufficient reason.*

It shall be lawful for any Bishop of a Diocese, who is about to leave, or has left his Diocese, with the intention of going out

of the limits of the United States, or of remaining out of his Diocese for the space of three calendar months, although without leaving the United States, to authorize by writing under his hand and seal, the Assistant Bishop, or should there be none, the Standing Committee of such Diocese, to act as the Ecclesiastical authority thereof. The assistant Bishop or Standing Committee so authorized, shall thereupon become the Ecclesiastical authority of such Diocese, to all intents and purposes until such writing shall be revoked or the Bishop shall return within the Diocese: *Provided*, that nothing in this canon shall be so construed, as to prevent any Bishop who may have signed such writing from exercising his jurisdiction, himself, so far as the same may be practicable, during his absence from his Diocese, or from permitting and authorising any other Bishop to perform Episcopal Offices for him.

#### CANON IV

##### *Of a Registrar of the General Convention.*

SEC. 1. The journals, files, papers, reports and other documents, which, under the canon "Of securing an Accurate View of the State of the Church," or in any other manner, shall become the property of either House of the General Convention of this Church, shall be committed to the keeping of a presbyter, to be elected by the House of Clerical and Lay Deputies upon nomination by the House of Bishops, who shall be known as the Registrar of the General Convention.

SEC. 2. It shall be the duty of the said Registrar to procure all such journals, files, papers, reports and other documents now in existence; to arrange, label, file, index and otherwise put in order and provide for the safe keeping of the same, and of all such others as may hereafter come into his possession, in fire-proof box or boxes, in some safe and accessible place of deposit; and to hold the same under such regulations and restrictions as the General Convention may from time to time provide.

SEC. 3. It shall be the duty of the said Registrar to procure a proper and sufficient book of record, and to enter therein a record of the Consecrations of all the Bishops of this Church, designating accurately the time and place of the same, with the names of the consecrating Bishops and of others present and assisting; to have the same authenticated in the fullest manner

now practicable; and to take care for the similar record and authentication of all future Consecrations in this Church.

SEC. 4. The expenses necessary for the purposes contemplated by this Canon, shall be provided for by vote of the General Convention, and defrayed by the Treasurer of the same.

#### CANON V.

##### *Of the Ordination of Deacons.*

[Former Canons on this subject were the sixth of 1844, and the fifth of 1847.]

SEC. 1. Every person hereafter to be ordained Deacon in this Church, shall be examined by the Bishop and two Presbyters, whose duty it shall be to ascertain that he is well acquainted with the Holy Scriptures and the Book of Common Prayer; and who shall inquire into his fitness for the ministrations declared in the Ordinal to appertain to the office of a Deacon, and be satisfied thereof.

SEC. 2. No person shall be entitled to such examination, until he shall have presented to the Bishop the certificate from the Standing Committee, required by Section 2 of the Canon "Of Candidates for Orders;" shall have remained a Candidate for Orders at least one year from the date of such certificate; and shall have presented to the Bishop a testimonial from at least one Rector of a Parish, also of the Wardens and Vestrymen of the Parish to which he belongs, signifying a belief that he is well qualified to minister in the office of a Deacon, to the glory of God and the edification of the Church.

SEC. 3. No Deacon shall be settled over a Parish or Congregation, until he shall have satisfactorily passed the three examinations prescribed in the Canon "Of the Preparatory Exercises of a Candidate for Priest's Orders;" he shall not officiate in any Parish or Congregation, without the express consent of the Rector for the time being, where there is a Rector; nor, in any case, without the assent of the Bishop; and when officiating in the Parish or Congregation of a Rector, he shall be entirely subject to the direction of such Rector in all his ministrations.

SEC. 4. No Deacon who shall not have passed the examination prescribed in the Canon "Of the Preparatory Exercises of a Candidate for Priest's Orders," shall be transferred to another Diocese, without the written request of the Bishop to whose jurisdiction he is to be transferred.

SEC. 5. Canon V. of 1847 is hereby repealed.

### CANON VI.

#### *Of the Learning of those who are to be Ordained Priests.*

[Former Canons on this subject were the seventh of 1789, altered in 1792, the fourth of 1795, the fourth of 1799, the second of 1801, the ninth of 1808, the thirteenth of 1832, and the fifth of 1838.]

SEC. 1. No person shall be ordained Priest in this Church until he shall have satisfied the Bishop and Presbyters, by whom he shall be examined, that he is well acquainted with the Holy Scriptures; can read the Old Testament in the Hebrew language, and the New Testament in the original Greek; is adequately acquainted with the Latin tongue; and that he hath a competent knowledge of Natural and Moral Philosophy, and Church History, and hath paid attention to Composition and Pulpit Eloquence, as a means of giving additional efficiency to his labors; unless the Bishop, with the consent of the Standing Committee of his Diocese, has dispensed with the knowledge of the Latin and Greek languages, and other branches of knowledge not strictly ecclesiastical, in consideration of such other qualifications for the gospel ministry as are set forth in Section 4 of the Canon "Of Candidates for Orders." The dispensation with the knowledge of the Hebrew language to be regarded as in that Canon.

SEC. 2. Canon V. of 1838 is hereby repealed.

### CANON VII.

#### *Of Candidates for Orders.*

[Former Canons on this subject were the sixth of 1795, the seventh of 1804, the seventh of 1808, the eighth of 1820, the first of 1823, the Canon of 1826, the ninth of 1832, the fourth of 1838, the ninth of 1841, and the sixth of 1847.]

SEC. 1. Every person who desires to become a Candidate for Orders in this Church, shall, in the first instance, give notice of his intention to the Bishop of the Diocese in which he intends to apply, or, if there be no Bishop, to the Standing Committee; in which notice he shall declare whether he has ever applied for admission as a Candidate in any other Diocese. No person who has previously applied for admission as a Candidate in any Diocese, and has been refused admission, or having been admitted has afterwards ceased to be a candidate, shall be admit-

ted as a candidate in any other Diocese, until he shall have produced from the Bishop, or, if there be no Bishop, from the Standing Committee of the former Diocese, a certificate declaring the cause for which he was refused admission, or for which he ceased to be a candidate.

SEC. 2. No person shall be considered as a Candidate for Orders in this Church, unless he shall have produced to the Bishop, to whom he intends to apply for orders, a certificate from the Standing Committee of the Diocese of the said Bishop, that, from personal knowledge or from testimonials laid before them, they believe that he is pious, sober, and honest; that he is attached to the doctrines, discipline, and worship of the Protestant Episcopal Church, a communicant of the same, and, in their opinion, possesses such qualifications as will render him apt and meet to exercise the ministry to the glory of God and the edifying of the Church. And when the Standing Committee do not certify as above, from personal knowledge, the testimonials laid before them shall be of the same purport, and as full as the certificate above required, and shall be signed by at least one Presbyter and four respectable Laymen of the Protestant Episcopal Church.

SEC. 3. In addition to the above testimonials, the person wishing to become a Candidate for Priest's Orders must lay before the Standing Committee a satisfactory diploma, or other satisfactory evidence that he is a graduate of some University or College, or a certificate from two Presbyters appointed by the Bishop, or, where there is no Bishop, the clerical members of the Standing Committee to examine him, of his having satisfactorily sustained an examination in Natural Philosophy, Moral Philosophy, and Rhetoric, and in the Greek Testament and the Latin tongue.

SEC. 4. When a person applying to be admitted a Candidate for Priest's Orders, wishes a knowledge of the Latin, Greek and Hebrew languages, and other branches of learning, not strictly ecclesiastical, to be dispensed with, the Standing Committee shall not recommend him as a candidate until he has laid before them a testimonial signed by at least two Presbyters of this Church, stating that, in their opinion, he possesses extraordinary strength of natural understanding, a peculiar aptitude to teach, and a large share of prudence, and the Bishop, with the

consent of the Standing Committee, shall have granted the dispensation. And in regard to a knowledge of the Hebrew language, in all cases in these Canons the Bishop shall have the sole discretion of dispensation.

SEC. 5. It ought also to be made known to every Candidate for whatever order of the Ministry, that the Church expects of him, what never can be brought to the test of any outward standard, an inward fear and worship of Almighty God, a love of religion, and a sensibility to its holy influence, a habit of devout affection, and, in short, a cultivation of all those graces which are called in Scripture the fruits of the Spirit, and by which alone His sacred influences can be manifested.

SEC. 6. The requisitions of this Canon being fulfilled, the Bishop may admit the person as a Candidate for Orders, and shall record the same in a book to be kept for that purpose, and notify the Candidate of such record. And in any Diocese where there is no Bishop, the Standing Committee may, on the same conditions, admit the person as a Candidate, and shall make record and notification in the same manner.

SEC. 7. If, after obtaining the Canonical testimonials from the Standing Committee, the person be admitted as a Candidate by the Bishop, or, if there be no Bishop, by the Standing Committee, he shall remain a Candidate for the term of three years before his ordination, unless the Bishop, with the consent of the Standing Committee, shall deem it expedient to ordain the Candidate after the expiration of a shorter period, not less than one year.

SEC. 8. A Candidate for orders may, on letters of dismission from the Bishop or Standing Committee of the Diocese in which he was admitted a Candidate, be transferred to the jurisdiction of any Bishop in this Church, and if there be a Bishop within the Diocese where the Candidate resides, he shall apply to no other Bishop for ordination without the permission of the former.

SEC. 9. If any Candidate for Orders shall not, within three years after his admission, apply to have the first and second examinations held, as hereafter prescribed, or if he shall not, within five years from his admission, apply to have his third examination held, (unless the Bishop, for satisfactory reasons to him assigned, shall allow him further time,) the said person shall, in either case, cease to be a Candidate.

SEC. 10. A person desirous of becoming a Candidate for Holy Orders, shall apply to the Bishop, or, if there be no Bishop, to the Standing Committee of the Diocese in which he resides, unless the said Bishop, or Ecclesiastical authority, shall give their consent to his application in some other Diocese. Candidates shall not change their Canonical residence but for *bona fide* causes requiring the same, to be judged of by the Bishop, or, if there be no Bishop, the Standing Committee, and they shall not be dismissed from the Dioceses in which they were admitted, or to which they have been duly transferred for the convenience of attending any theological or other seminary.

SEC. 11. Canon VI. of A. D. 1847 is hereby repealed.

### CANON VIII.

#### *Of the Preparatory Exercises of a Candidate for Priest's Orders.*

SEC. 1. There shall be assigned to every Candidate for Priest's Orders three different examinations, at such times and places as the Bishop to whom he applies for Orders shall appoint. The examination shall take place in the presence of the Bishop and two or more Presbyters, on the following studies prescribed by the Canons, and by the course of study established by the House of Bishops. At the *first* examination, on the books of Scripture, the Candidate being required to give an account of the different books, and to translate from the original Greek and Hebrew, and to explain such passages as may be proposed to him. At the *second* examination, on the Evidences of Christianity and Systematic Divinity. And at the last examination, on Church History, Ecclesiastical Polity, the Book of Common Prayer, and the Constitution and Canons of the Church, and of the Diocese for which he is to be ordained. In the choice of books on the above subjects the Candidate is to be guided by the course of study established by the House of Bishops. At each of the forementioned examinations he shall produce and read a sermon or discourse composed by himself, on some passage of Scripture previously assigned him, which, together with two other sermons, or discourses on some passage of Scripture selected by himself, shall be submitted to the criticisms of the Bishops and Clergy present. And before his ordination, he shall be required to perform such exercises in reading in the pre-

sence of the Bishop and Clergy, as may enable them to give him such advice and instructions as may aid him in performing the service of the Church, and delivering his sermons with propriety and devotion. But such examinations may take place either before or after the admission of the Candidate to Deacon's Orders; provided that nothing in this Canon shall be construed to extend to any person now in Deacon's Orders.

SEC. 2. The Bishop may appoint some of his Presbyters to conduct the above examinations; and a Certificate from these Presbyters, that the prescribed examinations have been held accordingly and satisfaction given, shall be required of the Candidate; provided that, in this case, the Candidate shall, before his Ordination, be examined by the Bishop and two or more Presbyters on the above named studies.

SEC. 3. In a Diocese where there is no Bishop, the Standing Committee shall act in his place in appointing the examining Presbyters required by this Canon. And in this case the Candidate shall be again examined by the Bishop to whom he applies for Orders, and two or more Presbyters, on the studies prescribed by the Canons.

SEC. 4. A Clergyman who presents a person to the Bishop for Orders, as specified in the Office for Ordination, without having good grounds to believe that the requisitions of the Canons have been complied with, shall be liable to Ecclesiastical censure.

SEC. 5. Canon V. of A. D. 1841 is hereby repealed.

#### CANON IX.

*Of the Officiating of Ministers of this Church, and of the Formation of Parishes within the Parochial Cures of other Clergymen.*

[Former Canons on this subject were the sixth of 1792, the fifth and seventh of 1795, the thirty-third of 1808, the seventh of 1829, and the thirty-first of 1832.]

SEC. 1. No Minister belonging to this Church shall officiate either by preaching, reading prayers, or otherwise, in the Parish or within the Parochial Cure of another Clergyman, unless he have received express permission for that purpose from the Minister of the Parish or Cure, or, in his absence, from the Churchwardens and Vestrymen, or Trustees of the Congregation, or a majority thereof.

SEC. 2. Where Parish boundaries are not defined by law or otherwise, they shall, for the purposes of the foregoing section, be settled and defined by the civil divisions of the State as follows:—1. If a city, village, town, township, or incorporated borough, or any ward, district, or other subdivision of either of the same, shall contain but one Church or Congregation, the Minister having charge of such Church or Congregation shall be deemed to have the Parochial Cure within the same. 2. Any city, village, town, township, or incorporated borough, or the smallest subdivision of either of the same, in which there are two or more Churches or Congregations, shall be deemed the Parochial Cure of the ministers of such Churches or Congregations, and the assent of a majority of such Ministers shall be necessary.

SEC. 3. If any Minister of the Church, from inability or any other cause, neglect to perform the regular services to his Congregation, and refuse, without good cause, his consent to any other Minister of the Church to officiate within his Cure, the Churchwardens, Vestrymen, or Trustees of such Congregation shall, on proof of such neglect or refusal before the Bishop of the Diocese, or, if there be no Bishop, before the Standing Committee, or before such persons as may be deputed by him or them, or before such persons as may be, by the regulations of this Church in any Diocese, vested with the power of hearing and deciding on complaints against Clergymen, have power, with the written consent of the beforementioned authority, to open the doors of their Church to any regular Minister of the Protestant Episcopal Church.

SEC. 4. A new Parish may be established, or a new Church or Congregation organized, within the limits of any Parish whose limits are prescribed by express law, or otherwise, or within the limits of any city, town, village, or incorporated borough, or any subdivision of either of the same, in the following manner:—1. Upon the written consent of the Minister or Rector having charge of a Church or Congregation within such limits, where there shall be but one Church or Congregation, with a Minister in charge thereof, or of the Wardens and Vestry of said Church or Congregation, or a majority thereof, where such Church or Congregation is without a Minister. 2. Where there are more Churches or Congregations than one, and less

than four, within such limits, upon the written consent of a majority of such Ministers. 3. And where the number of such Churches or Congregations shall exceed three, then, upon the written consent of the Ministers of the two Churches or Congregations whose places of public worship shall be nearest to the place proposed as the place of worship of such new parishioners. The written consent in the preceding cases shall be filed with the Secretary of the Standing Committee. 4. In each of the preceding cases the consent, in writing, of the Ecclesiastical authority must be given to the establishment of such new Parish. 5. If the consent of the Minister or Ministers aforesaid is denied or withheld, application may be made to the Ecclesiastical authority of the Diocese for the establishment of such new Parish, of which application one month's previous notice shall be given to the Minister or Ministers whose consent is so denied or withheld. The decision of the Ecclesiastical authority, if in favor of the application, shall be final; but if otherwise, the case shall be reported to the Convention of the Diocese (with the reasons for withholding an assent) for the final action of that body.

SEC. 5. Canon XXXI. of 1832 is hereby repealed.

## CANON X.

### *Of Missionary Bishops within the United States.*

[Former Canons on this subject were the second of 1835, the second of 1838, and the eighth of 1841.]

SEC. 1. The House of Clerical and Lay Deputies may, from time to time, on nomination by the House of Bishops, elect a suitable person or persons to be a Bishop or Bishops of this church, to exercise Episcopal functions in States or Territories not organized into Dioceses. The evidence of such election shall be a certificate, to be subscribed by a constitutional majority of said House of Clerical and Lay Deputies, in the form required by Canon III. of 1832, to be given by the members of Diocesan Conventions, on the recommendations of Bishops elect for consecration, which Certificate shall be produced to the House of Bishops; and if the House of Bishops shall consent to the Consecration, they may take Order for that purpose.

SEC. 2. The Bishop or Bishops so elected and consecrated, shall exercise Episcopal functions in such States and Territories,

in conformity with the constitution and Canons of the Church, and under such regulations and instructions, not consistent therewith, as the House of Bishops may prescribe.

SEC. 3. The jurisdiction of this Church, extending in right, though not always in form, to all persons belonging to it within the United States, it is hereby enacted, that each Missionary Bishop shall have jurisdiction over the Clergy in the District assigned him; and may, in case a Presentment and Trial of a Clergyman become proper, request the action of any Presbyters and Standing Committee in any Diocese sufficiently near, and the presentment and trial shall be according to the Constitution and Canons of said Diocese. Or if there be such a Standing Committee appointed by the Missionary Bishop as hereinafter provided for, the Clerical Members thereof may make Presentment, and the trial shall take place, according to the Constitution and Canons of any diocese of this Church which may have been selected at the time of the appointment of such Standing Committee; provided that the Court shall be composed of, at least, three Presbyters, excluding the members of the Standing Committee and the accused. And the House of Bishops may at any time increase or diminish the number of States or Territories over which the said Bishop or Bishops shall exercise Episcopal functions. And in case of the death or resignation of a Missionary Bishop, the charge of the vacant Missionary Episcopate shall devolve on the Senior Bishop of this Church, with the power of appointing some other Bishop as his substitute in said charge.

SEC. 4. Any Bishop or Bishops elected and consecrated under this Canon shall be entitled to a seat in the House of Bishops, and shall be eligible to the office of Diocesan Bishop in any organized Diocese within the United States. And whenever a Diocese shall have been organized within the jurisdiction of such Missionary Bishop, if he shall be chosen Bishop of such Diocese, he may accept the office without vacating his Missionary appointment, provided that he continue to discharge the duties of Missionary Bishop within the residue of his original jurisdiction.

SEC. 5. Every such Bishop may yearly appoint two Presbyters and two Laymen, Communicants of this church, resident within his Missionary jurisdiction, to perform the duties of a

Standing Committee for such jurisdiction; provided that no Standing Committee constituted under this Canon shall be the Ecclesiastical authority of the jurisdiction of said Missionary Bishop during the vacancy of the Episcopate thereof, or shall have power to give or refuse assent to the Consecration of a Bishop.

SEC. 6. Every such Bishop shall report to each General Convention his proceedings, and the state and condition of the Church in said States and Territories of the United States, and at least once a year make a report to the Board of Missions.

SEC. 7. Canon VIII. of 1844 is hereby repealed.

## CANON XI.

### *Of the Trustees of the Missionary Bishop's Fund.*

SEC. 1. It shall be the duty of the General Convention, at each Triennial Session, on the nomination of the Standing Committee on the State of the Church, to appoint five Laymen of this Church, to constitute a Board of Trustees of the Missionary Bishop's Fund.

SEC. 2. It shall be the duty of the said Trustees to take charge of all contributions of money or real estate which may be made to them, and accompanied with designation by the donors thereof, for any or either of the purposes herein specified, viz: 1. For the present support of any Missionary Bishop of this Church: 2. For investment; the interest or proceeds to be applied to such present support: 3. For the support of Bishops of this Church in new and nascent Dioceses, or in regions in which the Church is not organized: 4. For the endowment of the Episcopate in new Dioceses, or in regions in which the Church is not organized.

SEC. 3. All contributions, the disposition of which may not have been designated by the donors, shall be applied by the said Board of Trustees, according to their discretion, for the above named objects, until the direction of the General Convention in the premises.

SEC. 4. All moneys received by either of the Missionary Committees of the Board of Missions specifically for either of the purposes designated in this Canon, shall be paid over to the Treasurer of the Board of Trustees hereby constituted, accompanied by a statement of the directions of the donors.

SEC. 5. The Board of Trustees hereby constituted shall appoint a Treasurer, who shall keep fair accounts of all the receipts and payments of the Board. These accounts shall at all times be open to the inspection of any Bishop of this Church, or of any accountant appointed for the purpose by any three Bishops of this Church. The Board shall have power to make all necessary payments and disbursements in the discharge of their trust.

SEC. 6. The Board shall make a Triennial Report to the House of Clerical and Lay Deputies on the third day of the session of the General Convention; and shall accompany the Report with an account of their receipts and payments during the last three years. It shall be the duty of the House to refer such account to a Committee to be admitted.

SEC. 7. Said Trustees are hereby empowered to procure an act of incorporation for the purposes and objects specified in this Canon.

#### CANON XII.

##### *Of the mode of securing an Accurate View of the State of the Church from time to time.*

[Former Canons on this subject were the eleventh of 1804, the forty-fifth of 1808, the third of 1814, the first and third of 1820, the fifty-first of 1832, the seventh of 1835, and the eighth of 1841.]

SEC. 1. As a full and accurate view of the state of the Church, from time to time, is highly useful and necessary, it is hereby ordered that every Minister of this Church, or, if the Parish be vacant, the Wardens, shall present, or cause to be delivered, on or before the first day of every annual Convention, to the Bishop of the Diocese, or, where there is no Bishop, to the President of the Convention, a statement of the number of Baptisms, Confirmations, Marriages, and Funerals, and of the number of Communicants in his Parish or Church, also the state and condition of the Sunday Schools in his Parish, also of the amount of the communion alms, the contributions for missions, diocesan, domestic, and foreign, for parochial schools, for church purposes in general, and of all other matters that may throw light on the state of the same. And every other Clergyman, not regularly settled in any Parish or Church, shall also report the occasional services he may have performed; and if he have

performed no such services, the causes or reasons which have prevented the same. And these reports, or such parts of them as the Bishop shall think fit, may be read in Convention, and shall be entered on the journals thereof.

SEC. 2. At every Annual Diocesan Convention, the Bishop shall deliver an address, stating the affairs of the Diocese since the last meeting of the Convention; the names of the churches which he has visited; the number of persons confirmed; the names of those who have been received as Candidates for Orders, and of those who have been ordained, suspended, or degraded; the changes by death, removal or otherwise, which have taken place among the Clergy; and in general, all matters tending to throw light on the affairs of the Diocese; which address shall be inserted on the journals.

SEC. 3. At every General Convention the Journals of the different Diocesan Conventions, since the last General Convention, together with such other papers, viz: Episcopal Charges, Addresses and Pastoral Letters, as may tend to throw light on the state of the Church in each Diocese, shall be presented to the House of Clerical and Lay Deputies. A Committee shall then be appointed to draw up a view of the State of the Church, and to make report to the House of Clerical and Lay Deputies; which report, when agreed to by the said House, shall be sent to the House of Bishops, with a request that they will draw up, and cause to be published, a Pastoral Letter to the members of the church. And it is hereby made the duty of every Clergyman having a pastoral charge, when any such letter is published, to read the said Pastoral Letter to his Congregation on some occasion of public worship.

SEC. 4. It shall be the duty of the Secretary of the Convention of every Diocese, or of the person or persons with whom the Journals or other Ecclesiastical papers are lodged, to forward to the House of Clerical and Lay Deputies, at every General Convention, the documents and papers specified in this Canon.

SEC. 5. It is recommended that the Bishop and Standing Committee of the Church in every Diocese, or if there be no Bishop, the Standing Committee only, prepare previously to the meeting of every General Convention, a condensed report, and a tabular view of the state of the Church in their Diocese, comprising therein a summary of the statistics from the Parochial Reports, and from the Bishop's Addresses, specifying the capi-

tals and proceeds of the Episcopal Fund, and of all benevolent and Missionary associations of Churchmen within the Diocese, for the purpose of aiding the Committee on the State of the Church, appointed by the House of Clerical and Lay Deputies in drafting their reports.

SEC. 6. Canon VIII. of 1841 is hereby repealed.

### CANON XIII.

#### *Of Removal of Communicants from one Parish to another.*

A Communicant removing from one Parish to another shall procure from the Rector (if any) of the Parish of his last residence, or if there be no Rector, from one of the Wardens, a Certificate stating that he or she is a Communicant in good standing, and the Rector of the Parish or Congregation to which he or she removes shall not be required to receive him or her as a Communicant until such letter be produced.

### CANON XIV.

#### *Of the Election and Institution of Ministers into Parishes or Churches.*

[Former Canons on this subject were the seventeenth of 1789, the third of 1799, the first of 1804, the twenty-ninth of 1808, the second of 1814, and the thirtieth of 1832.]

SEC. 1. It is hereby required, that on the election of a Minister into any Church or Parish, the Vestry shall deliver, or cause to be delivered to the Bishop, or where there is no Bishop, to the Standing Committee of the Diocese, notice of the same, in the following form, or to this effect:

“ We, the Churchwardens (or, *in case of an Assistant Minister*), We the Rector and Churchwardens, do certify to the Right Rev. (*naming the Bishop*), or to the Rev. (*naming the President of the Standing Committee*), that (*naming the person*) has been duly chosen Rector (or, Assistant Minister, *as the case may be*) of (*naming the Parish or Church, or Churches.*)”

Which Certificate shall be signed with the names of those who certify.

SEC. 2. And if the Clergyman removing to another Diocese, and being called to take charge of a Parish or Congregation within such Diocese, present the testimonial as required by

Canon VII. of 1850, it shall be the duty of the Ecclesiastical authority of the Diocese to which he has removed, to accept it, unless the Bishop, or where there is no Bishop, the Standing Committee shall have heard rumors that he or they believe to be well founded, against the character of the Clergyman concerned, which would form a proper ground of Canonical inquiry and presentment, in which case the Ecclesiastical authority shall communicate the same to the Bishop or Standing Committee of the Diocese to whose jurisdiction the said Clergyman belongs; and in such cases, it shall not be the duty of the Ecclesiastical authority to accept the testimonial, unless and until the Clergyman shall be exculpated from the said charges.

SEC. 3. If the Bishop or the Standing Committee be satisfied that the person so chosen is a qualified Minister of this Church, the Bishop, or the President of the Standing Committee, shall transmit the said Certificate to the Secretary of the Convention, who shall record it in a book, to be kept by him for that purpose.

SEC. 4. But if the Bishop or the Standing Committee be not satisfied as above, he or they shall, at the instance of the parties, proceed to inquire into the sufficiency of the person so chosen, according to such rules as may be made in the respective Dioceses, and shall confirm or reject the appointment, as the issue of that inquiry may be.

SEC. 5. And if the Minister be a Presbyter, the Bishop or President of the Standing Committee may, at the instance of the Vestry, proceed to have him instituted, according to the Office established by this Church, if that Office be used in the Diocese. But if he be a Deacon, the act of Institution shall not take place until after he shall have received Priest's Orders. This provision concerning the use of the Office of Institution, is not to be considered as applying to any Congregation destitute of a house of worship.

SEC. 6. Canon XXX. of 1832 is hereby repealed.

#### CANON XV.

##### *Of the Expenses of General Conventions.*

[Former Canons on this subject were the fifty-fourth of 1832, the eighth of 1835, the tenth of 1838, and the first of 1844.]

SEC. 1. In order that the contingent expenses of General Conventions may be defrayed, it shall be the duty of the sev-

ral Diocesan Conventions to forward to the Treasurer of the General Convention, at or before any meetings of the General Convention, one dollar and one half for each Clergyman within said Diocese.

SEC. 2. Canon I. of 1844 is hereby repealed.

*Done in General Convention, in the City of New York,  
October, 1853.*

*By order of the House of Bishops,*

THOS. CHURCH BROWNELL, D.D., LL.D.,  
*Presiding Bishop.*

Attested, LEWIS P. W. BALCH, D.D., *Secretary.*

*By order of the House of Clerical and Lay Deputies,*

WILLIAM CREIGHTON, D.D., *President.*

Attested, M. A. DEWOLFE HOWE, D.D., *Secretary.*

# INDEX.

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	<small>PAGE</small>
<b>REVISED CONSTITUTION of the Protestant Episcopal Church of the Diocese of Virginia, as adopted in 1836, and amended in 1840 and 1850,</b>	<b>3</b>
<b>CANONS OF THE DIOCESE OF VIRGINIA.</b>	
<b>CANON I.</b> Of the trial of a Bishop, - - - - -	<b>7</b>
II. Of the trial of a Clergyman, not being a Bishop, - - - - -	8
III. Of the proceedings in the trial of a Layman, after expulsion by the Minister from the Holy Communion, - - - - -	11
IV. Of the transfer of Communicants from one Parish, or Church, to another, - - - - -	12
V. Ministers to be careful in admitting to Holy Communion, - - - - -	12
VI. Communicants to have Family Worship, - - - - -	12
VII. The Members of this Church to instruct their Families in the principles of Religion, - - - - -	12
VIII. Of the due celebration of Sunday, - - - - -	13
IX. Of Vestries, Church Wardens, &c. - - - - -	13
X. Concerning exceptions to the foregoing Canon, - - - - -	15
XI. Of the division of Parishes, - - - - -	15
XII. Of the formation of New Congregations, - - - - -	16
XIII. Of the evidence of the appointment of Lay Delegates to the Convention, - - - - -	17
XIV. Of the Standing Committee, - - - - -	17
XV. A List to be made of Ministers in this Diocese, - - - - -	18
XVI. Of Candidates for Orders, - - - - -	19
XVII. Respecting the Property of the Church, - - - - -	19
XVIII. Providing for the Expenses of the Diocese, - - - - -	20
XIX. Offenders to be admonished, or repelled from the Lord's Table, - - - - -	20
XX. Concerning altering or adding to the Canons of this Church, - - - - -	20
XXI. Repealing former Canons, - - - - -	21
An Act "Concerning Church Property," - - - - -	23
Ministers Celebrating the Rites of Marriage, - - - - -	24
Register of Marriage, - - - - -	25
<b>THE CONSTITUTION of the Protestant Episcopal Church in the United States of America, - - - - -</b>	<b>27</b>
<b>GENERAL CANONS OF 1832.</b>	
<b>CANON I.</b> Of the Orders of Ministers in this Church, - - - - -	<b>33</b>
II. Of the Election of Bishops, (repealed by Canon I. of 1835, - - - - -	33
III. Of the Certificates to be produced on the part of the Bishops Elect, - - - - -	33

CANON	PAGE
IV. Of Standing Committees, - - - - -	35
V. Of the Consecrations of Bishops during the Recess of the General Convention, - - - - -	35
VI. Of Assistant Bishops, - - - - -	36
VII. Of the performance of Episcopal duties in Vacant Dioceses, (repealed by Canon III. 1838,) - - - - -	37
VIII. Of the age of those who are to be Ordained or Consecrated, -	37
IX. Of Candidates for Orders, (repealed by Canon IV. 1838,) -	37
X. Of the conduct required in Candidates for Orders, - - -	37
XI. Of Candidates for Orders who are Lay Readers, - - -	37
XII. Of Candidates who may be refused Orders, - - -	38
XIII. Of the Learning of those who are to be Ordained, (repealed by Canon V. 1838,) - - - - -	38
XIV. Of the Preparatory Exercises of a Candidate for Deacon's Orders, (repealed by Canon V. 1841,) - - -	38
XV. Of the Testimonials to be produced on the part of those who are to be Ordained, - - - - -	39
XVI. Of Candidates coming from places within the United States in which the Constitution of this Church has not been acceded to, - - - - -	41
XVII. Of Deacons, - - - - -	41
XVIII. Of the Preparatory Exercises of a Candidate for Priest's Orders, - - - - -	41
XIX. Of the Titles of those who are to be Ordained Priests, -	42
XX. Of the times of Ordinations, - - - - -	42
XXI. Of those who have Officiated as Ministers among other Denominations of Christians, and apply for Orders in this Church, (repealed by Canon III. 1835,) - - -	42
XXII. Of Clergymen Ordained for Foreign Parts, - - -	42
XXIII. Of Clergymen Ordained by Foreign Bishops, or by Bishops not in Communion with this Church, and desirous of Officiating or Settling in this Church, (repealed by Canon VI. 1841,) - - - - -	43
XXIV. Of Ministers celebrating Divine Service in a Foreign Language, - - - - -	43
XXV. Of Episcopal Visitations, (repealed by Canon IV. 1850,) -	44
XXVI. Of the Duty of Ministers in regard to Episcopal Visitations, - - -	44
XXVII. Of Episcopal Charges and Pastoral Letters, - - -	45
XXVIII. Of Parochial Instruction, - - - - -	45
XXIX. Of the Duty of Ministers to keep a Register, - - -	45
XXX. Of the Election and Institution of Ministers into Parishes or Churches, (repealed by Canon XIV. of 1853,) - - -	46
XXXI. Of the Officiating of Ministers of this Church in the Churches, or within the Parochial Cures of other Clergymen, (repealed by Canon IX. of 1853,) - - - - -	46
XXXII. Of Episcopal Resignations, (repealed by Canon IV. 1844,) -	46
XXXIII. Of the Dissolution of all Pastoral Connection between Ministers and their Congregations, - - - - -	46
XXXIV. Of Differences between Ministers and their Congregations, -	47
XXXV. Of Ministers removing from one Diocese to another, (repealed by Canon IV. 1835,) - - - - -	48

CANON	PAGE
XXXVI. Of the Officiating of persons not Ministers of this Church, -	48
XXXVII. Of Offences for which Ministers shall be Tried and Punished,	48
XXXVIII. Of a Minister declaring that he will no longer be a Minister of this Church, (repealed by Canon V. 1850,) - - -	49
XXXIX. Of Degradation from the Ministry, and of Publishing the sentence thereof, (repealed by Canon II. 1847,) - - -	49
XL. Of a Clergyman in any Diocese, chargeable with Misde- meanor in any other, (repealed by Canon VI. 1850,) - - -	50
XLI. Of the Due Celebration of Sundays, - - -	50
XLII. Of Crimes and Scandals to be censured, - - -	50
XLIII. Of a congregation in any Diocese uniting with any other Diocese, - - - -	51
XLIV. Of the Mode of Publishing Authorized Editions of the Standard Bible of this Church, - - - -	51
XLV. Of the use of the Book of Common Prayer, - - - -	52
XLVI. Of the Mode of Publishing Authorized Editions of the Book of Common Prayer, &c., (repealed by Canon VI. 1835,) - -	52
XLVII. Of Forms of Prayer or Thanksgiving for Extraordinary Oc- casions, - - - -	52
XLVIII. Of a List of Ministers of this Church, - - - -	52
XLIX. Of the Mode of calling Special Meetings of the General Con- vention, - - - -	53
L. Of the Mode of Transmitting Notice of all Matters submitted by the General Convention to the consideration of the Di- cesan Conventions, - - - -	54
LI. Of the Mode of securing an Accurate View of the State of the Church from time to time, (repealed by Canon VII. 1835,) - - - -	54
LII. Of the Alms and Contributions at the Holy Communion, - -	54
LIII. Of the Requisites of a Quorum, - - - -	54
LIV. Of Defraying Expenses of the General Convention, (repealed by Canon VIII. 1835,) - - - -	55
LV. Of the Trustees of the General Theological Seminary, (re- pealed by Canon I. 1847,) - - - -	55
LVI. Repealing former Canons, - - - -	55

## CANONS OF 1835.

CANON I. Of the Election of Bishops, (repealed by Canon I. 1838,) - -	56
II. Of Missionary Bishops, (repealed by Canon II. 1838,) - -	56
III. Of those who have officiated, without Episcopal Ordination, as Ministers among other denominations of Christians, and apply for Orders in this Church, (repealed by Canon VII. 1838,) - - - -	56
IV. Of Ministers removing from one Diocese to another, (re- pealed by Canon VII. 1841,) - - - -	56
V. Of Amenability and Citations, - - - -	56
VI. Of the Mode of Publishing Authorized Editions of the Book of Common Prayer, &c., (repealed by Canon IX. 1838,) - -	57
VII. Of the Mode of securing an Accurate View of the State of the Church, from time to time, (repealed by Canon VIII. 1841,) - -	57

## CANON

VIII. Of Defraying Expenses of the General Convention, (repealed by Canon X. 1838,) - - - - -	57
---	----

## CANONS OF 1838.

CANON I. Of the Election of Bishops, (repealed by Canon II. 1844,) - - - - -	58
II. Of Missionary Bishops, (repealed by Canon VIII. 1844,) - - - - -	58
III. Of the performance of Episopal duties in Vacant Dioceses, (repealed by Canon IV. 1847,) - - - - -	58
IV. Of Candidates for Orders, (repealed by Canon IX. 1841,) - - - - -	58
V. Of the Learning of those who are to be Ordained, (repealed by Canon VI. 1853,) - - - - -	58
VI. Of Candidates for Orders ineligible to the General Convention, - - - - -	58
VII. Concerning Candidates for Orders in this Church, who have been Ministers, Licentiates, or Students of Theology, among other Religious Denominations, - - - - -	59
VIII. Of the Organizing of new Dioeesses formed out of existing Dioeses, - - - - -	60
IX. Of the Mode of Publishing Authorized Editions of the Book of Common Prayer, &c., (repealed by Canon VII. 1847,) - - - - -	61
X. Of Defraying the Expenses of General Convention, (repealed by Canon I. 1844,) - - - - -	61
XI. Of repealed Canons, - - - - -	62

## CANONS OF 1841.

CANON I. Of the Treasurer of the Convention, - - - - -	63
II. Of a Clergyman Absenting himself from his Dioeese, - - - - -	63
III. Of the Election of a Missionary Bishop to the Office of Dioesean Bishop, - - - - -	64
IV. Of the Trial of Bishops, (repealed by Canon III. 1844,) - - - - -	65
V. Of the Preparatory Exercises of a Candidate for Dcaeon's Orders, (repealed by Canon VIII. 1853,) - - - - -	65
VI. Of Clergymen Ordained by Foreign Bishops in Communion with this Chureh, and desirous of Officiating or Settling in this Chureh, (repealed by Canon IX. 1844,) - - - - -	65
VII. Of Ministers removing from one Dioeese to another, (repealed by Canon V. 1844,) - - - - -	65
VIII. Of the Mode of seeing an Accurate View of the State of the Chureh, from time to time, (repcaled by Canon XII. 1853,) - - - - -	65
IX. Of Candidates for Orders, (repealed by Canon VI. 1847,) - - - - -	65
X. Of Clergymen Ordained by Bishops not in Communion with this Chureh, and desirous of Officiating or Settling in this Chureh, - - - - -	66

## CANONS OF 1844.

CANON I. Of Expenses of the General Convention, (repealed by Canon XV. 1853,) - - - - -	67
II. Of the Eleetion of Bishops, - - - - -	67

CANON	PAGE
III. Of the Trial of a Bishop, - - - - -	68
IV. Of Episcopal Resignations, (repealed by Canon II. 1850,) - - - - -	72
V. Of Ministers Removing from one Diocese to another, (repealed by Canon VII. 1850,) - - - - -	72
VI. Of a Discretion to be allowed in the Calling, Trial, and Examination of Deacons in certain cases, (repealed by Canon V. 1847,) - - - - -	72
VII. Of Foreign Missionary Bishops, (repealed by Canon I. 1850,) - - - - -	72
VIII. Of Missionary Bishops within the United States, (repealed by Canon X. 1853,) - - - - -	72
IX. Of Clergymen Ordained in Foreign Countries by Bishops in Communion with this Church, - - - - -	72

## CANONS OF 1847.

CANON I. Of the Trustees of the General Theological Seminary, - - - - -	75
II. Of the Remission or Modification of Judicial Sentences, - - - - -	75
III. Of the Penalty of Suspension, - - - - -	76
IV. Of the Performance of Episcopal Duties in Vacant Dioceses, or in a Diocese, the Bishop of which is under disability, - - - - -	76
V. Of a Discretion to be allowed in the Calling, Trial, and Examination of Deacons in certain cases, (repealed by Canon V. 1853,) - - - - -	77
VI. Of Candidates for Orders, (repealed by Canon VII. 1853,) - - - - -	77
VII. Of the Mode of Publishing Authorized Editions of the Book of Common Prayer, &c. - - - - -	77

## CANONS OF 1850.

CANON I. Of Foreign Missionary Bishops, - - - - -	78
II. Of Episcopal Resignations, - - - - -	80
III. Of the Election of a Provisional Bishop in the case of a Diocese whose Bishop is suspended without a precise limitation of time, - - - - -	82
IV. Of Episcopal Visitations, - - - - -	82
V. Of a Minister declaring that he will no longer be a Minister of this Church, - - - - -	83
VI. Of a Clergyman in any Diocese or Missionary District chargeable with Misdemeanor in any other, - - - - -	84
VII. Of Clerical Residence and Removal, - - - - -	85

## CANONS OF 1853.

CANON I. Of the Abandonment of the Communion of the Church by any Bishop, Priest, or Deacon, - - - - -	88
II. Of the Abandonment of the Communion of the Church by a Presbyter or Deacon, - - - - -	88
III. Of Bishops absent from their Dioceses because of sickness or other sufficient reason, - - - - -	88
IV. Of a Register of the General Convention, - - - - -	89

CANON	PAGE
V. Of the Ordination of Deacons, - - - - -	90
VI. Of the Learning of those who are to be Ordained Priests, - - - - -	91
VII. Of Candidates for Orders, - - - - -	91
VIII. Of the Preparatory Exercises of a Candidate for Priests' Orders, - - - - -	94
IX. Of the Officiating of Ministers of this Church, and of the formation of Parishes within the Parochial Cures of other Clergymen, - - - - -	95
X. Of Missionary Bishops within the United States, - - - - -	97
XI. Of the Trustees of the Missionary Bishops' Fund, - - - - -	99
XII. Of the mode of securing an Accurate View of the state of the Church from time to time, - - - - -	100
XIII. Of Removal of Communicants from one Parish to another, - - - - -	102
XIV. Of the Election and Institution of Ministers into Parishes or Churches, - - - - -	102
XV. Of the Expenses of General Conventions, - - - - -	103

*Dr. J. W. Munro*

REVISED

CONSTITUTION AND CANONS

OF THE

PROTESTANT EPISCOPAL CHURCH

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ALSO THE

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